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SOME LEGAL ASPECTS OF ARCHIVES¹

Introductory Remarks

TEN years ago we American archivists were a complacent group of persons, sustained in our poverty-stricken lot by the faith that we had a high patriotic mission to perform—we must preserve the historical heritage of our country. Because most if not all of us had come into the archival field through our interest in history, we made little practical distinction between the private manuscripts and the public archives which came to our institutions. Because we were historians by profession and by training and were members in good standing and regular attendants at meetings of the American Historical Association, we had few, if any, qualms about our ability to take proper care of any archives which might come to us. There were even cases where archivists looked upon their job as a subsidy for their own private historical research. There was at least one instance, well known to you, where a state archivist, having completed his magnum opus, a history of his state (and a good one), simply boxed up his source materials promiscuously and stored them in the basement of his capitol, never making the slightest effort to restore their provenance. I recall an incident where an archivist being notified, while in attendance at an historical conference, that a bill had been introduced into his general assembly to create a new state records department, merely shrugged his shoulders and said that that would just be a department to take care of recent records—those from about 1865 on—and that wouldn't affect him.

Suddenly, about 1936, in the midst of the depression, undreamed of millions of dollars became available for archival work. I need not remind archivists of the chagrin with which we realized that we had neither plans nor technique for meeting the challenging opportunities which had come to us. The National Archives opened and archivists

¹ Presidential address, delivered at the eighth annual meeting of the Society of American Archivists, at Harrisburg, Pennsylvania, November 8, 1944.

had so little to offer to Dr. Connor that he called to his staff, not state archivists, but young ambitious scholars who were willing to experiment with new techniques.

Money was appropriated for new state archives buildings, but we had only the vaguest ideas as to how to go about designing them. I pause here just long enough to pay tribute to our late colleague, Dr. James Robertson, whose wise planning of the Maryland Hall of Records not only set its stamp upon all such buildings erected later, but also gave us an example which I, for one, can testify is eminently practicable.

The greatest stimulus to archival development at that same time was unquestionably the creation of the Historical Records Survey of the WPA. Many of us look back to that project, especially in its later phases, as one of the most trying experiences in our professional careers. There is no denying, however, that the HRS made substantial contributions to archival technique, made for us the first comprehensive, even though uncompleted, survey of the archival resources of the country, and roused public appreciation for better physical care of government records. Granting that the late Dr. Robert C. Binkley's suggestion that assembly line methods might be applicable to research was too revolutionary an idea for most of us to grasp, we must acknowledge that we were unable to give Dr. Luther Evans the practical advice he had a right to expect from us. If he and his staff had not had to spend so many of the early months in experimentation, perhaps the conflict between those who were interested only in making work for the greatest number and the archivists who wanted quality results, would not have developed to the place where it finally wrecked our program.

Of recent years our government officials have increasingly turned to archivists for help in the destruction of their valueless records. Here again we have to admit that we have no more experience than they. More recently these government officials are turning to us for advice in the matter of more scientific creation of records. In the federal government this has taken the form of putting the record program for a department in charge of an experienced archivist. In Illinois our Civil Service Commission has asked us to participate in its in-service training program by presenting a series of lectures on good record practices.

That archivists were quick to recognize their deficiencies is attested

by the founding of the Society of American Archivists in 1936. Since that time we have made substantial progress, particularly along the line of archival technique. We hope we will never again be caught so utterly unprepared as we have been in the past. Certain tendencies in the Society, however, disturb me, and I speak of them, not in a spirit of censure but rather of warning.

The first is our attitude towards the National Archives. Dr. Buck has often expressed the fear that the National Archives may dominate the Society of American Archivists. My own fear is not that the National Archives will wrest any power from other archivists in the Society, but rather that the state archivists are inclined to sit back and wait for the National Archives to do their thinking for them. To be sure, we in the states cannot afford men or equipment to do scientific research of the type that Arthur Kimberly and Vernon Tate have done for the National Archives. But there are many phases of archival work that have never been explored and many of these phases have to do with problems of the state archivist alone. For instance, the field of local archives is practically a virgin field so far as accomplishments are concerned. The matter of jurisdiction and co-operation between state and national archives is one which needs consideration from a local as well as from the national point of view. State government differs in many respects from national administration. Are their record disposal problems, for instance, also identical? Most state archivists have the broader field of historical society work instead of just archives, and this is bound to affect our technique. For instance, it is doubtful if the National Archives ever will, or may ever need to analyze and index their records as closely as we do in a state archival institution. The impact of business archival establishments on government archives is bound to bring more to us than we give, particularly in the matter of analyzing filing procedures to produce better balanced and more adequate as well as more efficiently created records.

The other tendency is one which is perhaps too delicate to mention, but I shall do so just the same. That is, a feeling that I have in reading *THE AMERICAN ARCHIVIST*, that we archivists are, consciously or unconsciously, trying to impress each other with our erudition. No one is more sympathetic than I towards Professor Pease's ambition to have that journal as dignified and on as high a plane as any professional journal. But more and more our editor com-

plains that archivists are not submitting articles and that he is hard pressed for material to print. Surely all of us are thinking about our work constantly, and surely each of us is doing something distinctive which is adding bit by bit to our efficiency as archivists. Why are we afraid of each other? Write about your work and ideas, and submit it to Professor Pease. Perhaps it won't be quite suitable for *THE AMERICAN ARCHIVIST*, but there are other mediums of publication—such journals as *Illinois Libraries*, which publishes popular articles on record matters, and your own biennial reports.

Several years ago I had occasion to review library literature of the early days of the American Library Association. I was amazed at the serious discussion of such matters as the practicability of lending books to the public, whether children should be allowed to come to the library, many other matters that are commonplace today. Melvil Dewey, Frederick Poole, and Justin Winsor did not lose stature in retrospect because they discussed fundamentals simply. Perhaps we need a questions and answers department in *THE AMERICAN ARCHIVIST* such as the British Records Association publishes in its technical bulletin.

One other matter and I will finish this lengthy introduction and get on with my presidential address. That is the matter of our committees. Association presidents spend many hours selecting just the right persons for committee memberships. All too often, however, these memberships are treated as honors, not as responsibilities. Both you and I have been and are on such ineffective committees. I have been a member of one committee for five years, and in that five years I have not had one letter from the chairman, even in answer to my own letters to him. It is a matter of gratification to me to learn through correspondence that our own committees are working. I wish, though, that their committee reports might be more detailed and that the results of their work could be publicized for the benefit of our members, perhaps through summaries in *THE AMERICAN ARCHIVIST*, through mimeographed bulletins, exhibits such as our Committee on Local Records has prepared for us, or through verbal reports at our annual meetings.

SOME LEGAL ASPECTS OF ARCHIVES

At the annual meeting of this Society last year I participated by proxy in a discussion of some of the differences between archives and

historical manuscripts as those differences affect methods of care, preservation, and use. Limiting my discussion to official governmental records, I endeavored to make the point that the archivist is limited in his procedures for the care of records entrusted to his custody by a paramount duty to preserve the integrity of their use as acceptable legal evidence. In preparing that discussion, I discovered that although we are spending our lives caring for legal records, practically nothing has been written by American archivists on philosophical aspects of the subject of legal aspects of records. I am aware that this is but one phase of archival work, and also that it is not a topic particularly suitable to an audience composed largely of persons chiefly interested in archives as historical manuscripts. Nevertheless, I propose, with your indulgence, to discuss a few phases of this matter this evening as indicative of just one direction in which we need to do more research.

The philosophy of records as affected by our democratic system of government is something we accept without much thought until we try to discuss some of our problems with fellow archivists from foreign countries. Then we discover that our ways are not their ways. An archivist from a country with a highly centralized government cannot understand why the records most important to individuals—title records, marriage registers, probate records, and vital statistics—should be left to the unsupervised custody of what to them appear petty officials of the lowest grade politically and professionally. “Why doesn’t the government do something to correct this?” they ask. We try to explain that public records in a democracy belong to the people, that our government is made up of officials merely delegated to do for the people what the people cannot do effectively as individuals; that our officials do not own the records which they create but merely act as custodians of the records on behalf of the people; that the origin of the custom of placing our most important records in the hands of county officials was to be able to watch over them and control them as officials of a remote central bureau could not be watched and controlled.

The second legal aspect of records also grows out of our democratic system of government—that is the theory that government records once created may not legally be destroyed without authorization from the representatives of the people in General Assembly—by that body which authorized the creation of the records by direction or by

implication. The national government and all state governments have statutes making unauthorized destruction of records a criminal offense, yet these prohibitory laws are constantly flaunted with impunity. The most generally accepted explanation for this is that prosecution for violation of the law must be by fellow officials who hesitate to prosecute because of social or political pressure.

The real reason why records are destroyed with impunity is that the law is impracticable because it fails to give an adequate definition for the term "records." Under a strict and commonplace interpretation of the law, almost any piece of paper with writing upon it which flutters by chance into a government office must be deemed a record. The absurdity of treating as equally sacrosanct a record of a transfer of a piece of real estate and an office memorandum requisitioning a typewriter ribbon is undoubtedly at the bottom of the contempt of the average official towards prohibitory laws in the face of patriotic calls for scrap paper. Most officials fail to take a long-range view of their records and are interested only in preserving those records which would prove their financial honesty in case of an investigation of their department. Some legal control over the creation and disposal of records must be applied.

The best solution to the disposal of valueless records which has been tried so far is through laws creating a commission, board, or other official body which passes upon the advisability of destroying records submitted for consideration. That this is not completely successful is attested by the large number of records which are still being destroyed illegally without consultation with the records commission.

A profitable study for archivists would be a redefinition of the term "record" as used in laws relating to the destruction of records. This redefinition might be in terms of purposes for which records are created, requiring that records which accomplish certain purposes, such as establishing property or citizenship rights, must be preserved permanently; that other records such as those administrative records establishing policies may, subject to the consent of the records commission, be kept in microfilm copies only; that certain records of temporary utility such as records of investigations of complaints may, also subject to review of the records commission, be destroyed after a period of years.

As our record disposal laws are now working we are compiling

long lists of records already created which have proved to be of doubtful utility. This is a negative process. It is not contributing towards the creation of a well-rounded archives system. From my own study of the history of state administration I can faintly see a pattern emerging which might make possible such a record disposal law as I have outlined above. Would that some of the energy spent by graduate students in rehashing the history of the Illinois and Michigan canal could be diverted to useful and basic studies on the history of governmental functions!

A third legal implication of our democratic system is that all records of public business are public records and as such must be open to any person applying to see them, subject only to reasonable regulations as to hours of access and to necessary safeguards for their physical protection. That theory is embodied in the working of many laws creating records and is implicit in all others except where the law specifically exempts certain records from public inspection as being of a confidential nature. Records may be classed as confidential only where examination by outsiders would be prejudicial to public or to private good—for instance, in the case of certain financial reports made by corporations in connection with franchise or other taxes, and such personal records as pardon papers. Departments transferring records to the archives sometimes do so with the condition that the records may be shown by the archivist only on orders from the department. If this stipulation is so worded that it does not in effect prevent an interested individual from demanding access to the records through the department, this is not construable as a violation of the law. It does save the archivists many headaches in borderline cases which the department can pass judgment upon more wisely than the archivist. The knowledge that information can be obtained only by going through certain formalities also acts as a definite check to sensation mongers.

The substitution of a certified copy to save wear and tear on the original record, an increasingly common practice, is likewise perfectly legal, especially when the original has been preserved as a check against possible error and for use upon those rare occasions when only the original can suffice. Certified copies of these certified copies, particularly when the first copy has been made photographically, are also acceptable to the court.

Opening of records to public inspection implies a duty to supervise

that inspection to protect the records against undue wear, theft, mutilation, or deliberate or accidental tampering of any kind. This theory of free access to records has been carried to a dangerous degree in many offices, particularly in the county court houses. In some of our county recorder's offices the abstract companies have practically taken possession of the records and order the recorder and his deputies about as if they and not the recorder were in charge. In most recorders' offices in Illinois the deed and mortgage record books are on open shelves, among which all comers are welcome to browse without restraint. This custom has become so rooted in tradition that progressive officials who feel some safeguards should be applied, find it difficult to interpose the minimum checks. These officials should be encouraged to substitute certified copies of the original for public use wherever possible. The probate clerk of Cook County (Chicago), Illinois, has found this practice the only means of curbing serious abuses particularly in the way of substitutions and thefts of individual documents in his unbound files.

Another legal aspect of archives is the power of replevin. All governments have laws permitting the seizure of public records found in private hands. These laws are useful in the recovery of deliberate thefts from the archives, but are practically never successfully invoked in the case of records taken by officials going out of office, which is the most common way by which public records disappear. Letters, for instance, which discuss matters of office policy in one paragraph and political gossip in the next paragraph tend to end in the official's private files. A century or less ago it was not uncommon for a county or township official to keep his office records in the back of the account books of his law office or his store. All sorts of legal complications can and do arise where it becomes necessary to get back official records thus taken away accidentally or deliberately. Once again we feel the need for a more precise definition of the qualities which constitute an official record.

Audits of accounts of financial receipts and expenditures and inventory checks of furniture, filing equipment, typewriters, and pencil sharpeners between outgoing and incoming officials are becoming routine matters, but similar checks on public records so transferred are practically unknown. In Illinois law the county recorder and the probate clerk are the only county, and so far as I know, the only public officers in the state who are required to sign

a receipt to their predecessors for records turned over to them. Less loss of records and better quality of records would result if the laws were amended to require an inventory of records to be compiled, checked, and receipted for in duplicate, one copy to be given by the incoming official to his predecessor and one copy retained as a part of the official records of his office.

Most states have laws making provision for the reconstruction of public records in case of destruction of the originals through fire, flood, or other catastrophe. It has been stated that eighty per cent of Illinois counties have lost at least part of their records that way; most states have also had similar losses, some of them of major proportions. In general these laws name commissioners, generally some court, to which private persons and government officials may submit evidence from which the public records may be rebuilt. Illinois, for example, has very detailed laws on these points, necessitated by the destruction of all the Cook County and Chicago municipal records in the fire of 1871.

Much work is being done throughout the country in the micro-copying of government records, particularly county records, as insurance against loss of the originals. We find that very little, if any, attention has been given to certifications which would make these copies acceptable to courts as evidence. We find that commercial firms are glibly citing court decisions accepting photographic copies of public records, but we doubt whether the courts will accept photographic or other copies as paramount evidence where proper certificates have been omitted. We have worked out forms for use in microfilming Illinois county records. Copies of these forms are on exhibit at this meeting and will be published in an early issue of *Illinois Libraries*.

This brings us to the matter of records as court evidence. This subject has been largely ignored in American archival literature. It is impossible to discuss it here in any detail. The standard work on the subject is the late John Henry Wigmore's *A Treatise on the Anglo-American System of Evidence in Trials at Common Law*, commonly cited as *Wigmore on Evidence*. Sections 2128-2169 in the third edition (1940) deal with "Authentication of Documents."

The first question which the judge asks concerning a document presented in evidence is, "Is this actually the document which it purports to be?" Next he asks, "Are the facts alleged in the document true or false?" Ordinarily the archivist has to reply only to the first

question. It is the rule of evidence that "the existence of an official document in the appropriate official custody is sufficient evidence of its genuineness to go to the jury."² This proof is shown by presenting the document to the court in one of several ways. First, the original document itself may be presented by its legal custodian, who takes oath verbally before the court that this is the document in question. In the case of a public record it is improper for the custodian to remove the record from its legal repository without a subpoena from the court. Because of this impropriety of removing the record, the court is commonly satisfied with a copy certified under the seal and signature of its custodian that this is a true and complete copy of the original. Some of the complications which arise in the presentation of a record or a certified copy thereof as the result of transfer of custody from the department of origin to the archivist, and in certifying records which have been returned to the archives after having been for a time out of official custody were discussed in my paper which was read to you last year. This article appears in the December, 1943, number of *Illinois Libraries*.

In addition the court may demand proof that the person producing the original or signing the certified copy is indeed the legal custodian of the document. When the court is within the same state and the identity of the custodian is easily ascertainable, it customarily suffices for him to state in his verbal oath or in the certified copy, that he is the official whose title he names, and that as such he is the official custodian of the document. Where the court sits under a different jurisdiction and particularly where it is under a foreign government, it is customary to add a certificate under the great seal of state to the effect that the custodian has been legally appointed or elected, as the case may be, to the office, and that he is authorized by law to sign and seal the certified copies.

Occasionally government records are presented as evidence by private persons. Since the taking of an original file from official custody by a private person exceeds all bounds of propriety and safety, the court rejects such testimony in all but the most extraordinary cases. "When a *private person* testifies to a *sworn* or *examined copy* of a *public record*, i.e. a record examined by him for the purpose of making the copy, it is obvious that proving the copy includes not only proof that its contents are a genuine transcription of the original,

² *Wigmore on Evidence*, Sec. 2158.

but also that the original was the genuine one it purported to be."³

It would be profitable and interesting, if time permitted, to compare the lawyer's methods of appraising the veracity of the contents of documents with the historian's. One of my friends who is noted for his critical acumen as an historian once told me that he had learned more historical methodology while acting as secretary of a local historical society under the presidency of an able attorney, than in all his graduate courses in history. "He not only made me document every sentence I wrote, but he taught me how to evaluate those documents." We archivists cannot assume that the court will tolerate careless handling of records on our part if that handling impairs their legal status in any way.

Time does not permit a discussion of other phases of legal aspects of archives, such as laws which permit the archivist to exercise a salutary supervision over papers, ink, vaults and safes, or various other phases of record making and preservation. What I have tried to show is that there is still much room for study along these lines, not only by our committee on legislation, but by each of us archivists as individuals.

MARGARET CROSS NORTON

Illinois State Library

³ *Wigmore on Evidence*, Sec. 2158.

THE EIGHTH ANNUAL MEETING OF THE SOCIETY OF AMERICAN ARCHIVISTS

HARRISBURG, PENNSYLVANIA

NOVEMBER 8 AND 9, 1944

DESPITE the prospect of limited attendance, the Council voted to hold the annual meeting as originally scheduled. Unexpectedly the attendance was good, there being sixty-two registrations of Society members. As the American Association for State and Local History and the Pennsylvania Historical Association were meeting the following two days, several members of those groups attended our sessions as well. All meetings were held at the Penn-Harris Hotel under arrangements made by S. K. Stevens and his committee on local arrangements.

The opening session on "State Archives and Historical Manuscripts" was presided over by Henry W. Shoemaker, state archivist of Pennsylvania. Christopher Crittenden, secretary of the North Carolina Department of Archives and History, read a paper on "The State Archivist Looks to the Future." Taking stock of progress made in state archival work, he raised several questions: Have archivists broken sufficiently with the past? Do they spend too much time on non-archival activities? How much time should be given to rearranging disorganized archives and in preparing catalogues, finding lists, and other guides? Mr. Crittenden asserted that the primary function of the archivist is to serve as a state agency, helping other departments in archival matters first of all. He emphasized that the archivist must earn the good-will and support of other departments by advising them on the disposal of useless records, by quickly taking noncurrent valuable records off their hands, and by giving assistance on current records problems. The enormity of this service bars the antiquarian attitude, or any special service for genealogists, and puts historical activities in second place. Although disorganized files must be put in order, he thought that the amount of detailed cataloguing must be conditioned by the necessity of keeping up with the incoming mass of records.

The director of the Rhode Island Historical Society, William G. Roelker, spoke secondly on "How Should an Historical Society Make a Disorganized Body of Manuscripts Available to Research

Workers?" He described the problem faced by his library after accumulating the 400,000 Brown papers of particular interest to scholars of American business. A four-year program is now under way for arranging and cataloguing this collection. After sketching the history of the Brown family and its far-flung business enterprises, Mr. Roelker explained the classification system that had been worked out to fit this collection. The diversity of the material prohibits a straight chronological arrangement. He also exhibited slips showing the style of cataloguing being done and he mentioned the problem of illegible handwriting. Eventually it is hoped that a calendar of the papers can be published.

At the first luncheon, President Margaret C. Norton, Illinois state archivist, presided and introduced S. K. Stevens, state historian of Pennsylvania, who read a paper on "The Public Records Program of Pennsylvania." He warned the audience not to assume that the state had such a program, although it is one of the oldest and richest historically in the country. Its archival program has been haphazard, confused, and insufficient. Administratively, the state archives are a division of the state library, which in turn is part of the Department of Public Instruction. The archives has merely a consultive relationship with the Pennsylvania Historical Commission, and the archivist has no power over county archives. Even in the state departments there is the familiar story of neglect, loss, removal, and fire. Yet the archives division at present has insufficient room to house the records it should receive. Administratively, Mr. Stevens felt that archival and historical work should be joined in a common unit. A statewide committee has been studying archival activities in other states and has recommended as a post-war project a new archives building, modern legislation, and a revision of the administrative organization. Pennsylvania may be on the way to achieving a creditable archival program, he concluded.

The first afternoon session was devoted to "Maps and Graphic Materials." Lloyd A. Brown, librarian of the Peabody Institute of Baltimore, presided. He introduced first Colton Storm, curator of maps at the William L. Clements Library, who spoke on "Maps as Historical Documents." His address was illustrated with slides. Mr. Storm offered a brief historical account of maps, pointing out the valuable information the early maps contained. For one thing they indicate the precise amount of knowledge about a given area

believed at a given time. In this way they explain why various actions were taken, when full and correct information would have dictated a different action. Sometimes the captions and legends of maps in old books contain information not found in the text. Battle maps, with extended captions about the action, were the newsreels of their day, offering a graphic account of what happened in the field. Finally, maps locate places which have disappeared with time and help in the reconstruction of buildings long since destroyed. Mr. Storm's paper was subsequently published with illustrations in *Publishers' Weekly* for November 25.

The second speaker was Paul Vanderbilt of the Library of Congress who has charge of the 200,000 pictures taken around the United States for the Farm Security Administration from 1935 to 1944. Mr. Vanderbilt brought one hundred colored slides of selected views which were shown during his stimulating talk on the significance of photographs in portraying the life of the times. He emphasized the special values of the informal and documentary picture that preserved the appearance of certain common buildings, traffic intersections, mountain roads, shopping districts, cultivated fields, home interiors, handicrafts, community picnics, local carnivals, and fairs. All these make clear a way of life at a given time which future historians will find immensely useful and revealing as no other medium can provide.

At the annual dinner Herbert A. Kellar, director of the McCormick Historical Association, introduced Margaret C. Norton for her presidential address. After some preliminary remarks on the growth of an archival consciousness in the country and opportunities for the Society, Miss Norton turned to her topic of "Some Legal Aspects of Archives." What she offered were judicious comments on present archival legislation and practices. She pointed out first that the records most important to the individual were left to the lowest officers—the county clerks. Consequently, they are subject usually to the most casual care. Yet that arrangement derives from our federal system. Although our laws say that valuable records are not to be destroyed, they are because we have not adequately defined "records." We cannot hope to preserve everything, but local officers have no guides for disposal. Our laws also open all public records to the public, a right that causes embarrassment to the archivist and needless wear on the records. Regulations are needed,

especially governing the use of certified copies. The law of replevin covers deliberate thefts, but is seldom applied to outgoing officials who decide which of their papers are private and public. The use of archives as court evidence is another subject largely ignored in our literature. All in all, Miss Norton demonstrated that there was still much room for study of the legal status of archives.

The second day's sessions opened with a morning meeting on "The Publication of Manuscripts," presided over by Roger Thomas, assistant archivist, Maryland Hall of Records. Julian P. Boyd, librarian of Princeton University, presented the first paper on "The Thomas Jefferson Project." The publication of the writings of Jefferson, first proposed by the Jefferson Bicentennial Commission of Congress, is now being sponsored by the New York Times Company in memory of Adolph Ochs, late publisher. The Princeton University Press will print the fifty-odd volumes, and Mr. Boyd is serving as editor. He explained certain new techniques in preparing the vast amount of material for publication. The Jefferson papers are scattered, and the Princeton office is obtaining microfilm copies of all of them. Enlarged prints are made, filed in envelopes, and catalogued chronologically, numerically, and alphabetically by writer's name. It is expected that the compositors will set the type directly from the photographic prints. Unimportant items will be summarized, as well as replies to Jefferson. Footnote citations will deal with the source of the document, the nature of the draft, and the character of the allusions therein. Mr. Boyd made a particular appeal to all historical institutions and private collectors to inform him of any Jefferson material they may have, as it is hoped to make this edition comprehensive. Mr. Boyd's paper was scheduled for publication in *The New York Times*.

The second paper was given by Clarence E. Carter, editor for the Department of State, on "The Territorial Papers." Mr. Carter has been editor of this series since its inception in 1931. After reviewing the work of Hazard, Wait, Force, and Gales and Seaton in publishing archival records, he led up to the authorization by Congress of the publication of territorial papers. Since selection had to be exercised, certain controls were devised. The first was financial: economy of space and time must be continually exercised. Only those federal records found in the District of Columbia have been published. Moreover, records previously published have not been re-

printed if they were accurately done. Administrative papers are accorded priority for inclusion, and effort has been made to include certain other records completely: the letterbooks of the postmaster general and the memorials to Congress from territorial legislatures and from the people. Enough land records are included to enable the reader to see the general pattern of land policy. Indian affairs have received less emphasis because they transcended territorial boundaries. Mr. Carter then gave specific instances of editorial problems concerning the selection of copies to be used, the correct reading of texts, and the use of footnotes. The transfer of most of the records consulted to the National Archives has greatly facilitated his work, Mr. Carter mentioned.

At the luncheon meeting the Society was honored by the presence of Halvdan Koht, former minister of foreign affairs for Norway and professor of history at the University of Oslo. Miss Norton presided on this occasion. Mr. Koht addressed the assembly on "Norwegian Archives and the War." He pointed out that Norway's main archives have escaped German destruction by astute forethought. After seeing what happened to Warsaw, the government took precautions against bombing. The records of the *Riksarchiv* were removed to the basement of another building and apparently were not disturbed. The local archives of southeastern Norway were kept in the House of Parliament, which the Germans occupied and made their administrative headquarters. The most desirable records to the Germans, those of the Foreign Office, were prepared for evacuation and removed by truck on the day of invasion. They were first taken to Sweden and later removed to London for the government-in-exile. Outside Oslo are three regional depositories; the one in Bergen has been bombed and burned. Mr. Koht fears that the great test for archives will come during the struggle for liberation, as the Germans may lay waste the country as they retreat.

At the afternoon session on "Local Archives and History" Mrs. Herbert P. Gambrell of the Dallas Historical Society presided. Harold S. Burt, examiner of public records for Connecticut, spoke on "Local Archives," with a consideration of vital, land, and tax records. He pointed out that besides the formal birth records, filed according to law, the state often has to accept semi-official sources when nothing else is available, such as church registers, school reports, census records, and genealogies. Older land records have some-

times confused rather than clarified land titles because of their description of boundaries based on temporary markers and local legends. Tax records are bulky and often disorganized because of the continual changing of tax laws. To enforce some uniformity in the keeping of such records, the state of Connecticut has been sponsoring meetings or "schools" for tax officials.

Albert B. Corey, state historian of New York, in his paper on "The Local Historian," described the extraordinary provision in his state for local historians under the non-political state Board of Regents. Although great encouragement has thus been given the writing of local history and the preservation of original materials, there has been no satisfactory arrangement for selecting the historians or paying them. Some are of professional standing; others are ardent genealogists or simply the oldest inhabitant in the community. Some receive no pay; others may receive expenses or salaries running up to as high as \$3,500, depending on local support. The location of the local history collection likewise varies. The New York plan aroused considerable discussion from the audience.

Society members were invited to inspect the archives division of the Pennsylvania State Library late that afternoon. The staff members showed the care and arrangement given the materials in their custody, as well as the variety of equipment used.

As has become customary, the second evening was a joint dinner meeting of the Society and the American Association for State and Local History. Following the banquet, Walter Hausdorfer of the School of Business Library, Columbia University, opened the discussion on "Interneships for Archives, Libraries, and Historical Depositories." Bertha E. Josephson of the Ohio State Archaeological and Historical Society presented a proposal for the co-operation of archives and libraries with university departments of history, whereby graduate students would receive academic credit for spending a term of work in one of the former institutions. A foundation would be approached for funds to pay the student a salary, on the basis of the educational benefit of the work. Under this arrangement, the student would gain experience in actual working with archives and manuscripts; in addition he would receive some pay for the time put in and credit toward his degree. The university concerned would thus be enabled to offer its students some practice

training in addition to academic study. The historical depository would profit by gaining an additional employee free of charge, possibly to undertake work on records heretofore neglected because of a staff shortage.

Harlow Lindley, librarian of the Ohio State Archaeological and Historical Society, endorsed the plan from the point of view of historical libraries. He pointed out that almost every such institution has a backlog of work in manuscripts, and an additional free employee would be a great boon. John W. Oliver, professor of history at the University of Pittsburgh, presented the academic point of view, similarly endorsing the plan. He believed the nature of the work made it worth graduate credit and he felt that the universities would be glad to co-operate with nearby historical societies and archives.

Lively discussion followed this presentation of the plan. Similarities to medical internships and to the old National Youth Administration program were argued. It was suggested that here was a method of training archivists for vacant positions now hard to fill. But would the student remain in archival work, or was the internship primarily a means to the end of obtaining a graduate degree? This point of view raised the question of whether the plan could be inaugurated without university connections, and whether a foundation would finance an apprentice program thus unrelated to academic degree work. Some state archivists felt that the necessary supervision of the interne would be more bother than the value of the work accomplished by him. It was questioned whether universities would grant credit for work in archives as readily as for work in historical manuscripts, since the latter could be more readily tied in with available history courses. Another question was the advisability of attracting young people into work where the salaries were low and the opportunities limited. In general there appeared a cleavage between the historical societies and the archives over the value of such temporary employees to the institution.

Finally, it was suggested that a joint-committee of the Society and association should be appointed to study the proposal of internships. The Council of the Society afterward voted to authorize the president to appoint such a committee, which is to report its findings to the Council.

HOWARD H. PECKHAM

William L. Clements Library

NORWEGIAN ARCHIVES IN THE WAR¹

ONE fate is common to all archives: they are always in danger of being destroyed. Ink may fade, paper may moulder, roofs may leak and let in water, cellars may be flooded or may give shelter to mice and rats who love to gorge on precious documents, and fire may consume both houses and treasures. Even the archivists themselves, zealous for order or dogmatic in their principles, may be too eager in their scrap-heap policies. (Those policies, of course, belong to the past; modern archivists are perhaps too much afraid of discarding old paper.) In short, there are a thousand ways of destruction menacing archives. And of them, war is probably the most spectacular for it may bring general catastrophe to what centuries of patient work have wrought.

Most European countries have been harried by wars time after time during the past centuries. Only Great Britain, until recently happily isolated from the continent, has most nearly escaped warfare within its own territory. Therefore, Great Britain has been able to preserve unbroken series of archives to an extent elsewhere unsurpassed. The two kingdoms on the Scandinavian peninsula, too, have been fortunate in very rarely seeing enemies within their borders, and from 1814, they lived for 125 years in uninterrupted peace. But now, since 1940, Norway has suffered occupation by a cruel enemy who has looted the country in many ways. Naturally, the question arises what, under such conditions, may have happened to the archives of the country.

Let me say it at once: The main archives of Norway have escaped destruction, whether total or partial, at the hands of the Germans. I beg you, however, to notice the reservation contained in the last words. And let me then explain how this happened.

The fact is that we had expected and were, at least in this regard, prepared for the German attack. We were not prepared for it in the form in which it finally came. But we had seen the fate of Warsaw, and we considered the possibility of having our capital, Oslo, similarly wrecked by German bombers. We had not expected a complete invasion and occupation. I, for one, at any rate, imagined that an enemy would not easily be able to pass the fortifications of the fjord

¹ A paper read at the eighth annual meeting of the Society of American Archivists, Luncheon Session, November 9, 1944.

leading in to Oslo. Quite generally, I think, we did not take into account an invasion by air, by troops being landed as parachutists from carrier planes. You must remember that it was a new experience when it happened in Norway. But we did not doubt that the Germans, if they found it convenient to begin war against Norway, would not hesitate to send their war planes over Oslo and to bomb the open city. For this possibility we prepared ourselves.

The foremost question regarded the protection of our National Archives or, as we call this institution in Norwegian, the *Riksarkiv*, where all the records of the central administration of the kingdom prior to about 1880 were united. The chief archivist of Norway, Dr. Asgaut Steinnes, whom many American archivists know from his visit to this country shortly before the war, planned what to do about these archives. It was not thought necessary to move them out of the city. There was nothing in them that might possibly tempt the greed of a conqueror. The plan would be to find a safe place where these collections could not be hurt by hostile bombs. It so happened that only a couple of blocks away from the archives building a magnificent business house was left practically empty because the bank that had had it put up had gone bankrupt. The basement of this building was considered as safe as any place could be, and in the course of some months large parts of the records in the National Archives were moved there. As it turned out, the city of Oslo was not bombed by the Germans but to a very small extent. The city was surrendered after the airports at both sides of it were captured. Then German troops were able to march in without any resistance because there were neither troops nor fortifications within the city. Thus, the national archives were not endangered by the invasion, and I have not heard of anything being done to them by the Germans afterwards.

What may happen to them during the fight to liberate Norway is another question. Oslo has been bombed once by the British. It was on September 25, 1942, when Quisling celebrated the second anniversary of his puppet or traitor government. The celebration was broken up by the visit of British planes, and on that occasion some parts of the city were destroyed, not however those parts where the national archives were lodged. Still larger parts of the city were wiped out by the great explosion that occurred in the port of Oslo on December 19, 1943. But then again the national archives

escaped the blast. Such occurrences clearly demonstrate that danger may still be ahead. As long as the Germans remain in Norway, nothing there can be absolutely safe.

There were—and are—many public archives in Oslo other than those in the central National Archives. Until only a few years back, the national archives were lodged in the house of the parliament (which in Norwegian we call the *Storting*), and they were at that time united with the local archives of the administration, civil and ecclesiastic, of the whole of eastern Norway south of Trondheim. These local archives were still in the house of the *Storting* when Norway was invaded. Besides, preserved there were the legislative archives for the whole period of our parliamentary government, since 1814. Then the Germans made this building the center of their administration of Norway. Whether they removed the archives or left them at the spot, I am unable to tell. Anyway, I have no reason to think that they have suffered any damage during the period of occupation. The same holds true about the archives of the Supreme Court and of the different departments of administration.

One group of governmental archives was the natural object of particular concern. That was the archives of the Department of Foreign Affairs for the period since 1905, the year when Norway took over the independent control of its foreign relations. Not only had these archives a special importance, but they could be expected to attract the particular attention of foreign invaders and, obviously, they contained a number of secret documents that ought not to fall into enemy hands. Very early after the outbreak of the war, therefore, the question of preserving these archives from destruction or from appropriation by enemies was taken up within the department.

I want to give due recognition to the man who most particularly pressed the question of measures for this purpose. He was the chief of the so-called administrative division of the department (the two other divisions dealt with politics and with commerce). His name is William M. Johannessen, and he is still in Norway, taking care of what remains there of the department. He came repeatedly to me and urged on me the necessity of preparing for taking away from Oslo everything needed for the administration of foreign affairs in the event that Oslo was attacked by enemy forces. You will notice that he thought not only of secret papers but also of all papers in use for current affairs. I used to tease him a little for his eagerness

to get away from Oslo as though he were afraid of losing his life by staying there. But, of course, I took his suggestion seriously and authorized him to take the necessary measures.

After that was decided, the matter was laid in the hands of the chief archivist of the department, Mr. Reidar Omang, and he planned what should be done in case of war. He made up lists of all records that would have to be taken away, and he bought a large number of boxes fitted to the size of our dossiers.

As a consequence, when the Germans attacked and, in the early dawn of April 9, 1940, the Norwegian government resolved to flee Oslo, in the Department of Foreign Affairs everything was ready for removal. Mr. Omang, who lived in one of the suburbs of Oslo, was called to the department by telephone. He immediately set to work to collect all the papers previously listed and to pack them in the boxes provided. A few hours later, three big trucks loaded with documents were driven away and actually left Oslo at one end of the city while the Germans marched in from another end.

Because, in that way, essential parts of the records regarding foreign affairs were rescued, the Germans were prevented from finding any papers there which they could use for political purposes. Of course, they ransacked the department and they also searched my private house. They may have carried off and perhaps destroyed my personal collections of manuscripts and historical material. But almost all of my political papers were in the department and were taken away with the department records. That is particularly true as to many secret military papers which I had in my possession as ex-officio member of the war board of Norway. Consequently, when the German Foreign Office in the spring of 1940 published a White Book containing documents that were intended to prove that Great Britain and France had planned an occupation of Norway that was only at the last moment prevented by the German invasion, and that the Norwegian government had conspired with the two Western Powers for this purpose, there was not a single document from Norwegian archives in the book.

Incidentally, the documents published proved nothing of what the Germans read into them. All of them were papers found in the possession of British officers captured in Norway. In the White Book it is pretended that one of the documents was actually found in the Norwegian Department of Foreign Affairs. But that is not true. As

a matter of fact, it was found in the private house of our prime minister, and it was not an official document at all. It consisted of personal notes made by a member of the cabinet during a discussion about the French-British demand for permission to send troops through Norway to the assistance of Finland against Russia. The only damaging word in these notes, according to the Germans, was a reported utterance by me, saying that if Norway should be forced into the war, we must take care not to come in on the wrong side. Ribbentrop declared this a highly cynical remark because he concluded—and I would not challenge his conclusion—that “the wrong side” evidently meant Germany.

The three trucks with the documents that Mr. Omang took along from the department followed the Norwegian government for a couple of days. But when it proved impossible to find a safe residence for any length of time because of the steady pursuit by German bombers, he took his archives across the frontier into Sweden. There they remained for awhile but were later safely taken over to the government residing in London where, still under the care of Mr. Omang, they now are at the disposal of the foreign minister.

On the way through Norway one particular part of these archives was separated from the main bulk of them. We had found it necessary to prepare a radical change of our secret cipher system, and it seemed risky to carry the material worked up for the new system into a foreign country. So this material was hidden at a certain place high up in Norway, and there I think it is still. Besides me, only two people know where it was stored.

The fate of the archives of foreign affairs that were left in Oslo is somewhat uncertain. The building of the Department of Foreign Affairs was taken over by the German Gestapo and in that way came to be used for deplorable and shameful purposes. Of course, even though the Germans set up a puppet government in Norway, they did not leave to these miserable stooges any conduct of foreign affairs. The bureaus of the former Norwegian department which still were allowed to function were transferred to the Department of Interior. Whether only a part or the whole of the department archives were transferred there at the same time, I don't know. I am afraid much was left in the original department building and presumably was destroyed by the British bombing of September 25, 1942, which I have mentioned. Naturally the office of the Gestapo

was one of the buildings chosen as a target of the bombers, and it was completely blasted.

I must add some words about the local archives of Norway, although the positive information I am able to give is very slight. Of course, there are all kinds of archives around in the country, in every city, town, and parish. Outside Oslo there are three public archives organized to receive documents of public administration. They are located in Christiansand for the south, in Bergen for the west, and in Trondheim for the north of Norway. Of these cities, Bergen has been bombed at least three times by the British, and, besides, a large part of the city was wiped out by an explosion in the port in February of this year. Consequently, I have great fears about what may have happened to the archives there.

Several of the smaller cities and towns of Norway were destroyed by the Germans during their invasion. They had to fight for two full months before the occupation was completed, and in the course of this warfare they bombed mercilessly both military and non-military places. In fact, very few places in Norway were fortified or occupied by military forces, but the Germans did not feel bound by any laws of war or any of the treaties they themselves had signed. In many cases whole cities were completely burned down simply, as it seemed, for the pleasure of destruction. No doubt, in such cases the local archives were reduced to ashes together with the cities.

Personally I saw the whole little city of Molde being consumed by fire from the one end to the other, and I was very sorry about its archives. Molde was the capital of one of the twenty counties of Norway and so it preserved, besides the city archives, the county archives as well. I happened to have worked in these county archives, thirty-five years earlier, in the course of my historical researches. The country around Molde was the district where, about 1830, the farmers' movement had started that really was the beginning of the great democratic rising which came to shape Norwegian politics for the remainder of the nineteenth century. The archives of Molde had a particular importance for this history. Now, probably, they don't exist any more.

This is only one instance of what local archives may mean for the study of the national history of a country. Therefore I could not

be silent about the destruction of such local archives at the hands of the Germans.

Last month, the war again started in Norway, and already we have heard about three small cities in the farthest north-eastern part of the country that have been completely burned down. Obviously, the Germans pursue the same policies there as we have heard they are pursuing in Holland. Wherever they are forced to pull out, they leave the land behind them as completely devastated as possible.

Thus, the danger to the Norwegian archives is not yet over. We may be prepared to lose still more of them. Of course, we have to be glad that until now they have not fared worse than they have. But every loss of archives is an impediment to future administration and makes national reconstruction more difficult. The loss to historical studies is evident to all archivists. Here is a field where reparations cannot help. Lost archives cannot be replaced.

Those are considerations that will make archivists just as anxious as other people for the establishment of a lasting peace.

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THE INVIOABILITY OF DIPLOMATIC ARCHIVES

IMMEDIATELY following Pearl Harbor, officials of the embassy of the United States at Tokyo and of the Japanese embassy at Washington destroyed their confidential diplomatic records. American Ambassador Joseph C. Grew asserted, "The moment we knew that the news of war had been confirmed I gave orders to burn all our codes and confidential correspondence."¹ Huge bonfires which emanated from the grounds of the Japanese embassy at Washington served as dramatic evidence that the Japanese treated their important archives similarly.² These actions illustrate that modern states are unwilling to entrust their vital documents to the diplomatic representatives of neutral governments at the outbreak of war, even though international law and practice dictate that records so deposited are inviolate. Such an attitude stimulates an inquiry into the extent to which diplomatic archives are considered inviolable under international law and the extent to which the principles of international law are being observed. This subject has never been adequately investigated by scholars, although it is a matter of definite importance to the international lawyer and diplomat on the one hand, and the historian and the archivist on the other.

What are diplomatic archives? For the purposes of this paper diplomatic archives are defined as the written evidences of the negotiations, activities and transactions of diplomatic representatives which are under the protection of diplomatic officials. The "archives" of Foreign Service establishments of the United States are defined by Executive Order to comprise "all official documents in the possession of such establishments." Diplomatic archives consist of copies of "despatches"³ to the home government; of "instructions" from the home government; of "notes" from the copies of notes to the foreign office of the state to which the official is accredited; of miscellaneous correspondence received and copies of miscellaneous correspondence sent. They comprise all official files preserved by the diplomatic agent, including those in open offices as well as those within the sealed vaults of the mission. The instructions received

¹ Joseph C. Grew, *Ten Years in Japan* (New York, 1944), 494.

² *The New York Times*, Dec. 8, 1941, 5, with illustration.

³ The terminology here used is that of the Department of State.

this week by the American ambassador at the Court of St. James have the same archival character as records of the activities of America's first representative to Austria-Hungary, which are presumably still at Vienna today. In effect, the character of archives under the care of an accredited diplomatic official or of a diplomatic representative of a neutral state is not altered by physical location or by time. This monograph embraces further a consideration of those papers of a diplomatic agent which are in transit. The term "diplomatic archives" does not include personal papers of the diplomat, such as family letters, which are distinct from his official files.

Diplomatic archives are of the utmost importance to the ambassador or minister. They provide him with a record of the past and present policies of his own government toward the government to which he is accredited, and of the commitments of that government to his own; they serve as a source of reference as to his country's citizens and business interests in the foreign state. Some of the documents are of a highly confidential nature, as, for example, instructions defining a diplomat's authority in negotiating a treaty. Should communications concerning this subject reach the hands of the foreign state, they might conceivably alter the latter state's policy to the detriment of the former. The mutual convenience of states, therefore, requires that messages in transit as well as documents on file be given protection. The problem of inviolability then is not merely a question of the ultimate preservation of the documents by the state which created them; it is primarily a question of the integrity and sanctity of the informational content of those records.

Under the above definition, the study of diplomatic archives and their inviolability is limited. It does not embrace consideration of the status of archives of the foreign office which have been seized after invasion by the enemy. For this subject the reader is referred to Dr. Ernst Posner's article, "Public Records Under Military Occupation," which appeared in a 1944 issue of the *American Historical Review*.⁴ Thus seizure and publication by the German government of the archives of the Polish or Dutch foreign offices is beyond the scope of this paper, although violation of a legation's archives at Warsaw is not. Secondly, this article is not concerned with the right of a diplomat to transmit messages to his home gov-

⁴ Ernst Posner, "Public Records under Military Occupation," *The American Historical Review*, XLIX (January, 1944), 217-219.

ernment. Bismarck so placed restrictions on foreign legations attempting to send information out of Paris during the Franco-Prussian War that diplomatic representations were made by the American government;⁵ while the British government placed prohibitions on the transmittal of cipher telegrams and diplomatic pouches from foreign embassies and legations at London between April 17 and June 19, 1944. Careful consideration of the inviolability of consular archives has likewise been divorced from this study. Consular archives are more apt to be desired for private reasons, such as for individual claims, than for political purposes of the state. Moreover, the development of consular inviolability has a different history. Inviolability of consular archives is an outgrowth of the common custom of states to guarantee immunity in the normal treaties of amity and friendship. The subject has been ably examined by Dr. Irvin Stewart in his *Consular Privileges and Immunities*.⁶

Finally, this study does not embrace a treatment of espionage and the attempts of governments to obtain information from diplomatic archives through special agents, or the efforts of governments to prevent this through the use of codes. The story of Metternich's postal system and of how suspected diplomatic mail was unsealed, copied, and resealed in such expert fashion that no recipient was the wiser⁷ is as intriguing a tale as that of the British foreign minister who was allegedly so competent that he had copies of all incoming and outgoing diplomatic mail of the embassies at London on his desk each morning.⁸ Mr. H. O. Yardley in his *American Black Chamber* tells us of how governments on the one hand develop secret codes and of how their neighbors try to break them.⁹

The question of inviolability of diplomatic agents has roots deeply imbedded in history. So fundamental a privilege was diplomatic immunity that Cicero declared: "The inviolability of ambassadors is protected both by divine and human law; they are sacred and respected so as to be inviolable not only when in an allied country, but also whenever they happen to be in the midst of the forces of

⁵ John Bassett Moore, *A Digest of International Law* (Washington, 1906), IV, 696-701.

⁶ Irvin Stewart, *Consular Privileges and Immunities* (New York, 1926), 35-59.

⁷ Josef Karl Mayr, *Metternichs Geheimer Briefdienst; Postlogen und Postkurse* (Wien, 1935).

⁸ Yonge, *Life and Administration of Lord Liverpool*, I, 239, quoted in Ward and Gooch, *The Cambridge History of British Foreign Policy, 1783-1919*, III, 549.

⁹ Herbert O. Yardley, *The American Black Chamber* (Indianapolis, 1931).

enemies.”¹⁰ Coleman Phillipson in *The International Law and Custom of Ancient Greece and Rome* shows us that this axiom of the ancients had a corollary, for he wrote that: “Correspondence and all things essential to the regular performance of their duties were likewise considered inviolable.”¹¹

Treatises on international law such as those by Oppenheim¹² and Satow¹³ usually contain little more than a brief statement that diplomatic archives are inviolable. Two modern scholars who have discussed the subject are almost unequivocal in their attitudes, and their statements deserve to be quoted. Shortly after the first World War the French writer, Dr. Maurice Travers in his *Le Droit Pénal International* wrote:

Archives, in contrast to the embassy or legation building as a whole, are inviolable in themselves. If it is not indispensable for the carrying out of a diplomatic agent's mission that the local police should not be able to enter the embassy or legation, it is, on the contrary, essential that the local authorities should never be able, under any pretext whatever, to gain access to the secrets of the archives; hence the principle, according to us an absolute one, of the inviolability of archives, a principle which is sufficient to remove the danger which it was desired to avoid in formulating the erroneous theory of the extra-territoriality of embassies and legations. . . . The inviolability of diplomatic archives exists as a result of their own character apart from any treaty provision. . . . The inviolability of diplomatic archives is not, like the immunity which diplomatic agents enjoy in their personal capacity, limited to any fixed period; it continues even when all the members of the mission or legation have been recalled; no distinction can be drawn from the nature of the rupture of diplomatic relations.¹⁴

¹⁰ Quoted, Edmund A. Walsh, *The History and Nature of International Relations* (New York, 1922), 53.

¹¹ Coleman Phillipson, *The International Law and Custom of Ancient Greece and Rome* (London, 1911), I, 332.

¹² Lassa Oppenheim, *International Law, A Treatise*, Fifth edition, Lauterpacht (London, 1937), I, 617.

¹³ Sir Ernest Satow, *A Guide to Diplomatic Practice*, Third edition, Ritchie (London, 1932), 163.

¹⁴ “Les archives sont, à la différence de la totalité de l'hôtel de l'ambassade ou de la légation, inviolables par elles-mêmes. S'il n'est pas indispensable au bon exercice de la mission d'un agent diplomatique que la police ne puisse pénétrer dans l'ambassade ou dans la légation, il est, au contraire, essentiel que jamais l'autorité locale ne puisse, sous un prétexte ou sous un autre, parvenir à se mettre au courant des secrets des archives; de là, le principe absolu selon nous, de l'inviolabilité des archives, principe qui suffit à écarter les dangers que l'on a voulu éviter en formulant la théorie erronée de l'exterritorialité des ambassades et légations. . . . L'inviolabilité des archives diplomatiques existe par l'effet de leur caractère propre, en dehors de toute clause contractuelle. . . . L'inviolabilité des archives n'est point, comme l'immunité dont jouissent, a titre personnel, les agents

Just a few years earlier Dr. T. S. Woolsey had inquired in *The American Journal of International Law* whether a foreign diplomatic agent may claim at will any papers as belonging to his government without identification and proof. He declared that

no one else can determine their character. No one else is in a position to know it. You have either got to trust your resident minister altogether, or not at all and have him recalled. If he is plotting against you, there is your right of self-defense, of course, but espionage or knowledge of his secrets by judicial process should not be necessary to self-defense; they are not consistent with real immunity. Nor is it immunity to surrender papers of which copies are kept. It is not the substance of the papers, but the knowledge derived from them which counts. Real immunity demands that you shall not know what they import.¹⁵

An examination of the practice of modern states reveals that the application of the general rule of inviolability varies; for the degree to which inviolability has been accorded seems to have been conditioned upon the circumstances in the case. The inquiry, therefore, has to be divided into separate categories as follows: unprotected diplomatic correspondence in transit; diplomatic papers in transit protected by seal; diplomatic papers protected by courier; diplomatic archives protected by the extraterritoriality of the mission; protection of diplomatic archives after rupture in relations; the status of diplomatic archives before *de facto* and *de jure* claimants; and the status of diplomatic archives before third states.

I. *Unprotected Diplomatic Correspondence in Transit*

Upon the invention and utilization of the telegraph and cable in the last century and the wireless and radio in this, diplomatic messages, if urgent, were transmitted by wires or air waves. Information so transmitted could easily be utilized by the other state without any apprehension that its action would be discovered. If confidential, such messages travelled with the hope that the code could not be broken, or that the time taken to decipher the messages would be so long that other states could not use them to advantage.

The spectacular intercepting and decoding by the British government of the so-called Zimmermann note in 1917 is considered one of the immediate causes of the entry of the United States into the

diplomatiques, limitée à une durée déterminée; elle persiste, alors même que tous les membres de la mission ou de la légation auraient été rappelés; aucune distinction ne saurait même être tirée du caractère de la rupture des relations diplomatiques." Maurice Travers, *Le Droit Pénal International* (Paris, 1921), III, 203-204.

¹⁵ *The American Journal of International Law*, X (July, 1916), 592-593.

first World War. The German ambassador, von Bernstorff, had obtained permission from the Department of State to transmit messages in diplomatic pouches sent to and from the American embassy in Berlin and the Department of State. Knowing that it was not then the policy of the Department of State to decode diplomatic communications of other governments, Zimmermann of the German Foreign Office entrusted to an American despatch bag a coded message proving the willingness of Germany to help Mexico regain lost areas in southwest United States in the event of war.¹⁶ British espionage agents discovered and decoded the message; while the contents were divulged to the American government through appropriate diplomatic channels. Subsequently, the United States adopted a policy of decoding messages, which, according to Yardley,¹⁷ lasted a decade until the secretary of state put an end to such practices believing that it was not true statecraft.

It was proposed by the same author that the United States urge the governments of the world to sign a convention outlawing the practice of deciphering codes of other states; but when decoding can be done without detection, signed agreements are of little value. International law has not and cannot offer adequate protection to the telegraph, cable, and wireless.

II. *Diplomatic Papers in Transit Protected by Seal*

In accordance with long standing custom, diplomats have transmitted their mail under seal. The sealing of diplomatic despatches or diplomatic pouches protects the correspondence from search or seizure by the other state; while violation of this seal constitutes a serious breach of international law. Most serious is the violation of correspondence between the minister and his home government. When a privateer captured a ship on which diplomatic mail of the British minister to the United States was carried, President John Adams wrote on July 20, 1799: "I heartily reprobate the outrage on the British government, in violating [by a privateer] the seals of its accredited minister to the United States, and am desirous of taking such notice of it, as the respect we owe, not only to the government of Great Britain but to ourselves. . . ."¹⁸

Sealed diplomatic correspondence between diplomatic agents and

¹⁶ *War Memoirs of Robert Lansing* (New York, 1935), 226 ff.

¹⁷ Yardley, *American Black Chamber*, 370-371.

¹⁸ Moore, *A Digest of International Law*, IV, 710-711.

other foreign agents is likewise considered inviolable. In 1893 Turkish officials violated correspondence sent by the American consul at Sivas to the American minister at Constantinople. The secretary of state was quoted as advising the minister that "the inviolability of the privileged correspondence between recognized agents of the United States was one of the most obvious and indispensable prerogatives of foreign diplomatic representatives, and that any infringement of his rights in that regard would furnish occasion for earnest protest, especially if official correspondence, under his legislation's seal, addressed to a subordinate officer of the United States, were opened by the Turkish agents."¹⁹ Although correspondence from a consul was violated, a diplomatic infringement was involved because the communication was addressed to the American minister. Had a communication from the American minister to the American consul been seized, the secretary of state would have regarded it a more serious violation of diplomatic immunity.

But rarely indeed has the diplomatic seal been violated in such a way that diplomatic protest can be made. The great danger, during the intrigues of the eighteenth and nineteenth centuries, was that clandestine agents might uncover diplomatic communications and abstract therefrom desired information. Therefore, other methods of protecting confidential diplomatic communications had to be utilized.

III. *Diplomatic Papers Protected by Courier*

The use of the courier is a greater protection than the seal in the transmittal of diplomatic mail. It is more particularly used during periods of war. The personal immunity of the courier is guaranteed under international law, and any interference with his movements becomes an immediate occasion for diplomatic protest. In 1943 the plane trip from Washington to Moscow of Joseph Davies, who served as a special courier for President Roosevelt, well illustrates that this means of communication is still much in vogue for the transmittal of diplomatic messages.

In 1646, during the period of the Protectorate in England, the King of France transmitted by courier diplomatic messages for his minister to England, Sabran, and his minister to Scotland, Montreuil, who was then at London. En route to London the courier was seized at Rochester; the documents were taken from him and

¹⁹ *Ibid.*, 712.

deposited on the second floor table of the residence of the Earl of Northumberland. Montrueil obtained access to the Earl's house and boldly regained the papers in the presence of servants of the Earl who were too startled to act. As the Earl entered the room, Montrueil protested vigorously for having contrary to the law of nations stopped his courier and taken from him letters which the king, his master, had sent him. He not only stoutly refused to hand back the papers, but he demanded reparation for the injury already done. A contemporary who wrote about this incident stated it might serve as an example and rule to ministers, who may learn with what courage and fearlessness they ought to act to maintain the dignity of their employment while conserving the honor, the grandeur and the reputation of their master.²⁰

Writing in 1758, the Swiss jurist Vattel considered that the violation of a diplomatic courier was one of the most serious breaches of international law. He wrote:

The couriers whom an ambassador sends and receives, his papers, his letters and dispatches, are all so essentially connected with the embassy that they must be regarded as inviolable; for if they were not respected it would be impossible to obtain the proper object of the embassy, nor could the ambassador fulfill the duties of his office with due security.²¹

On June 23, 1917, a German diplomatic courier, von Rautenfels, was seized at his hotel in Christiania (Oslo), Norway, while his baggage, which was under seal, and deposited at the railroad station, was taken into custody.²² Examination revealed no correspondence but quantities of explosives and other implements of war to be used presumably in Norwegian ports. The German minister protested (1) the seizure of the courier and (2) the breaking of the seals. Subsequently, the German Foreign Office disavowed the action, promising disciplinary measures against those involved, and gave assurance that future baggage sent by courier would be examined by the Foreign Office.²³

States have felt the right to place limitations on the use of the courier, particularly in war-time or in cases where the courier is

²⁰ Abraham de Wicquefort, *L'Ambassadeur et ses Fonctions* (Cologne, 1715), I, 494-496.

²¹ Emmerich de Vattel, *The Laws of Nations*, Carnegie Classics of International Law edition, Scott (Washington, 1916), 396.

²² *The New York Times*, June 25-30, July 2, July 15, 1917; *Aftenposten*, June 24, 1917, ff.

²³ *Oversigt (II) over saker behandlet av Utenriksdepartementet under krigen som egner sig for Offentliggjørelse* (Christiania, 1920), 49-54.

suspected of using his official position for personal gain. In 1862 Secretary of State Seward declared that the courier's luggage was "exempt . . . from search, unless its bulk or other circumstances afford reasonable ground for suspicion that the courier has abused his official position for the purpose of smuggling."²⁴ When on July 13, 1917, the Department of State notified foreign embassies and legations that it would honor only regularly employed couriers,²⁵ it probably would have felt justified in seizing communications on a courier not covered by these regulations.

IV. *Diplomatic Archives Protected by the Exterritoriality of the Mission*

The diplomatic residence and chancery have been given a peculiar place in international law by jurists who have developed the theory of extraterritoriality. The mission has come to be regarded as the ground of the country represented and outside the jurisdiction of the state in which it lies. While certain modern scholars tend to place more emphasis on the fact that immunity in reality arises from the necessity of adequate intercourse between states, and in effect the immunity given is conditioned and not absolute, it is nevertheless true that the diplomatic archives deposited in the mission have been accorded a greater degree of inviolability than those anywhere else.

In 1608, Minister Richardot, who served at The Hague as diplomatic representative for Archduke Otto, left in the drawer of the table at his house his instructions, which were discovered by his landlord. These were turned over to the local authorities, who published them. Richardot, in protesting the seizure and publication of these papers, wrote that it was a violation both of the *Ius Hospitalitatis* and the religious respect which is due to ambassadors, whose persons and goods ought to be in entire safety. De Wicquefort, describing the case, observed that no one ever doubted that the security which is due to public persons extends also to their letters.²⁶

In 1717 and 1718 two serious violations of diplomatic archives arose which are significant not only because they reflect the attitude of diplomats of that day but also because they appear to admit an ex-

²⁴ Moore, *A Digest of International Law*, IV, 711.

²⁵ Green Haywood Hackworth, *Digest of International Law* (Washington, 1940-1944), IV, 621.

²⁶ Wicquefort, *L'Ambassadeur et ses Fonctions*, I, 494.

ception to the heretofore strict rule that all archives of diplomats should be held inviolable. In 1717 the Swedish minister at London, Gyllenborg, was suspected of being involved in a Jacobite plot to overthrow George I. It is related that when officers of the British government entered the residence of Gyllenborg in London they "found him making up dispatches, which they told him they had orders to seize; and they even insisted upon searching his cabinet, which, upon the refusal of his Lady to deliver the keys, they actually broke open."²⁷ While the minister protested this action as a direct violation of the law of the nations, the British government addressed a circular letter to the diplomatic corps resident at London in which they expressed their regret at the seizure of public minister's papers, but justified their action upon the ground of public necessity. This explanation was accepted by all except the Spanish minister who protested that the archives of a diplomat "are the repositories of his secrets" and seizure "seemed sensibly to wound the Law of Nations."

A similar incident, which took place in 1718, concerned Prince Cellamare, ambassador from Philip of Spain, who was involved in a conspiracy to overthrow the regency in France. After the conspiracy was detected and the files of the emissary seized and examined, Prince Cellamare vigorously protested the violation of the law of nations and the prerogatives of his office. In this case also a circular letter was sent out to the ministers resident at the French capital; but no one protested "tous regardant une telle conspiration comme devant faire cesser tout privilège."²⁸ It is to be particularly observed that after the examination, the diplomatic archives were placed in the Louvre until the time when they could be turned over to two trusted men of the King of Spain. Although the archives had been subjected to search and seizure, the violating power otherwise respected the sanctity of the archives and the right of Spain to regain them.

Vattel in discussing these instances concludes that while ordinarily diplomatic archives are inviolable "on those grave occasions when the ambassador has himself violated the law of nations by forming or favoring dangerous plots or conspiracies against the State, the immunity of his papers does not prevent their seizure in order to discover the details of the plot."²⁹ This doctrine, however, has grave

²⁷ Robert Plumer Ward, *An Inquiry into the Foundation and History of the Law of Nations in Europe* (Dublin, 1795), II, 329-330. In London edition, see 548-549.

²⁸ Charles de Martens, *Causes Célèbres du Droits des Gens*, Second edition (Leipzig, 1858), I, 149.

²⁹ Vattel, *The Law of Nations*, 396.

implications; for it is tantamount to admitting that if one state suspects the motives of another, it may seize the other's diplomatic archives. In any event the cases just cited are almost unique in the annals of international law.

During the first World War, two incidents arose between the United States and German governments relating to the extent to which the principle of inviolability of diplomatic archives of the mission might be applied. Could inviolability be extended to diplomatic archives in any buildings under the jurisdiction of the ambassador or to archives in any offices maintained by persons cloaked with diplomatic immunity?

Shortly after the beginning of the war, the American embassy at Berlin assumed responsibilities at the British consulate in that city. On the evening of October 7, 1914, police authorities raided the consulate, seizing official papers of Ambassador James W. Gerard, particularly accounting records dealing with relief work. After a protest by Gerard, Zimmermann of the Imperial Foreign Office apologized for the incident, promised to make amends, and asked as a favor that the matter be dropped. Later some of the seized documents were returned; but there continued to be a question during the remainder of the war as to whether all the papers had been restored.⁸⁰

On April 17, 1916, police officials at New York City raided the office of Wolf von Igel, a German diplomatic official, formerly secretary to Captain Franz von Papen, but at the time the *de facto* military attaché. Papers seized during the absence of von Igel were found to be most compromising in character, involving German agents in acts of violence and sabotage. Although von Igel was indicted for violation of the United States criminal code, he was eventually released on the basis of his diplomatic status; but the custody of the papers formed the basis of considerable correspondence between Secretary of State Lansing and Ambassador von Bernstorff. The latter alleged that the documents seized from von Igel's table were official papers belonging to the German embassy at Washington, which had been taken contrary to international law. Secretary Lansing, on the other hand, defended their seizure on the ground that the records did not come within the bounds of diplomatic inviolability: "Documents obtained an acquired immunity from the

⁸⁰ *Foreign Relations of the United States*, 1916, Supplement, 820-822.

fact that among other things they are under official seal, that they are on Embassy premises, or that they are in the actual possession of a person entitled to diplomatic immunity." Since the Department of State had not recognized the diplomatic status of the building of the military attaché at New York City, there were no grounds under Secretary Lansing's definition for the inviolability of the records. Lansing offered to return the documents as an act of comity, provided that the ambassador would indentify those which were diplomatic documents; but the German ambassador did not choose to be placed in such an embarrassing position.³¹

This case involves the difference between the intrinsic value of archives and the value of archives for their informational content. The important fact was that the United States had obtained the information from the documents; while the ultimate fate of the papers was distinctly a secondary matter. On the other hand, had the United States returned the records, the cases against the saboteurs, whom the documents incriminated, could not have been carried on as effectively; for, under international comity, the return of the documents ought to have prevented the use of certified copies at the criminal trials.

During the first decade after the Soviet government came into power, Soviet trade delegations, which had been set up in various countries to encourage commercial relations, were invaded and their archives seized. These delegations were presumably performing consular functions but seem to have been considered by the Russians as diplomatic or at least quasi-diplomatic. Wherever possible, the Soviet government tried to obtain for such offices extraterritorial privileges by treaty.

The violation on May 3, 1924, of the archives of the Soviet trade delegation in Berlin by the Wilhelmstrasse was the first action of this kind. The event occurred during a communist incident when two hundred police agents broke into the delegation building, where they examined the archives. The Soviet government strongly decried this as a breach of international law, giving outward expression of their displeasure by boycotting German goods. In this clear-cut case of the violation of Soviet archives, the German Foreign Office eventually recognized its obligations and responsibilities under international law; it apologized for the raid, offered to pay reparations

³¹ *Ibid.*, 809-815.

for the damage done and actually removed responsible police officials. The status of the delegation was strengthened on October 12, 1925, by a treaty which provided in part that the quarters occupied by the Soviet trade delegation were to be protected in accordance with the principle of extraterritoriality.³²

China was the next country to violate the archives of a Soviet trade delegation. At Peking on April 6, 1927, Chinese soldiers entered the office of the Soviet trade delegation and the building of the Soviet military attaché, which was attached to the embassy, although they did not enter the embassy itself. Large quantities of official documents were seized and examined.³³ It was reported that the Chinese government acted only after obtaining consent from the dean of the diplomatic corps at Peking; but if the approval of the diplomatic corps lessens the seriousness of the offense, that body, it seems, should at least give justification for its action.

In the month following the China incident, on May 12, 1927, the celebrated "Arcos Raid" took place in London. The Arcos building, which was searched by London police under authority from Downing Street, contained records of Arcos Limited, a commercial trading firm, and records of the Soviet trade delegation. When the Soviet official guarding the delegation protested the invasion and refused to hand over the keys, police forcefully broke into safes with pneumatic drill machinery and even opened sealed diplomatic mail.³⁴ This action was in specific violation of a 1921 trade agreement containing a provision that a certain number of official agents of each country could enjoy immunity from arrest and search.³⁵ The Baldwin government defended the step taken on the floor of the House of Commons by asserting that the Soviets had obtained an important secret British military document which it was necessary to regain. Although no evidence was forthcoming that the sought-for paper had been found, the British government in a White Paper published some of the data seized and broke off diplomatic relations.³⁶ On May 28, 1927, Litvinoff addressed the British Foreign Office as

³² Louis Fischer, *The Soviets in World Affairs* (New York, 1930), II, 582-583.

³³ *Ibid.*, 686-693.

³⁴ *Ibid.*, 735-737. For additional information on this and the preceding two notes, see T. A. Taracouzio, *The Soviet Union and International Law* (New York, 1935), 190. For translating Russian publications mentioned in the latter, I wish to acknowledge indebtedness to Dr. Constantine D. Kojouharoff of the staff of the Library of Congress.

³⁵ *British and Foreign State Papers*, 1921, CXIV, 376-377.

³⁶ *Russia No. 2* (1927). *Documents illustrating the Hostile Activities of the Soviet Government and Third International against Great Britain* (Command Papers, 2874).

follows: "The Soviet Government places on record that the British Government had no legitimate grounds . . . for . . . infringement of the Trade Agreement of 1921 in the form of a police raid on the extra-territorial premises of the Soviet official agent. . . ."³⁷

These cases involving quasi-diplomatic offices vary as to detail. The German case was concerned solely with general principles of international law; yet apology was given for the offense and reparation made. The British case concerned also a treaty provision; but Downing Street took the attitude that incriminating documents had been found. It broke off relations, published data it considered compromising, leaving to public opinion to decide whether the documents found justified the means employed. Violation by the Chinese government suggests that the seriousness of the offense varies according to the type of building searched. China invaded (*a*) the Soviet trade delegation and (*b*) the building of the Soviet military attaché, but did not invade (*c*) the Soviet embassy adjoining close by. It would appear that the violation of the trade delegation was the least serious offense, the duties connected with that establishment not being generally recognized as purely diplomatic duties, the violation of the building of the military attaché a more serious offense, and the violation of the Soviet embassy too serious an offense to be undertaken.

V. *Protection of Diplomatic Archives After Rupture in Relations*

When a break in diplomatic relations occurs, a government concerned is faced with one of three alternatives in handling its post records: It may direct the diplomatic representative to destroy the archives, to bring them back with him, or to leave them under seal. Often more than one course is taken, depending upon the bulk of the records and the confidential nature of some of them. Since in time of war a mere seal on diplomatic documents is hardly any protection at all, nations of the world for several decades have followed a custom of permitting the departing envoy to turn the post records of his country over to the representative of a neutral state which is recognized by both belligerents. The archives are either left in the same building in which they were formerly housed, while the neutral representative is acknowledged to have diplomatic immunities ex-

³⁷ *Russia No. 3 (1927). A Selection of Papers Dealing with the relations between His Majesty's Government and the Soviet Government, 1921-1927* (Command Papers, 2895), 71.

tended over a wider physical territory, or the archives are removed from the chancery of the belligerent to the chancery of the neutral representative. This custom has become so deeply rooted in international procedures that by the time of the last war it was a widely acknowledged practice.³⁸ Uruguay, in permitting its ministers to take over diplomatic archives of other nations in times of stress, declares such action to be "according to international practice."³⁹

An incident known as the Montagnini Case serves as a classic illustration of the regard given by one state to the diplomatic archives of a state with which it had broken off diplomatic relations. When France had terminated its relations with the Vatican in 1904, it permitted the former papal representative, Monseigneur Montagnini, to reside in Paris. Later, suspecting the monseigneur of intrigue against the state, French officials had him escorted to the border; while on December 11, 1906, they invaded his residence at Paris and seized his papers. The Quai d'Orsay made a careful distinction between records created before the break in diplomatic relations, truly diplomatic archives, and records created after the break, private papers. The former were placed under seal, unread, until they could be turned over to the Vatican through the good offices of the diplomatic representative of a third state; while the latter were given the most careful examination and the widest publicity.⁴⁰

Sharply in contrast with this is the flagrant violation of British diplomatic archives at Petrograd during the Russian revolution, when the British embassy and its contents were left in the care of the Dutch minister. Despite the fact that the embassy building had on its door a sign and sealed notice that it was under the protection of the Netherlands legation, armed forces on August 31, 1918, invaded the embassy and seized records, at the same time killing Captain Francis Cromie, a British officer, who courageously defended the building. While the embassy was being invaded, Dutch officials vehemently protested against this "unheard-of breach of international law" but were not even permitted to be present at the search. The action was justified by the commandant of Petrograd, Shatof, on the alleged ground that the British were implicated in the murder of Uritski, commissioner at Petrograd for combatting counter-revo-

³⁸ James W. Garner, *International Law and the World War* (London, 1920), I, 53-55.

³⁹ A. H. Feller and M. O. Hudson, *Diplomatic and Consular Laws and Regulations* (Washington, 1933), II, 1381.

⁴⁰ Paul Fauchille, *Traité de Droit International Public*, Eighth edition (Paris, 1926), I, Part III, 74. Travers, *Le Droit Pénal International*, III, 205-208.

lution. The diplomatic corps planned to draw formal attention to this act while the Dutch minister made demands against the Russian authorities, declaring that he would hold that country responsible "in every respect for consequences of this breach of international law which was quite unique in history," and insisting that all documents which had been seized be turned over to him.⁴¹

While the above instance is the only case found by the writer where the archives of a mission were seized during the period of the first World War, it must be admitted that the practice of turning over diplomatic archives to neutrals has inherent weaknesses. In the first place the neutral state is usually not willing to assume as strong a stand to maintain inviolability of another's diplomatic archives as it would its own. Thus a Department of State circular instruction of August 17, 1914, advised diplomatic and consular officers that their function in such instances was "merely that of a custodian of the property and archives of the unrepresented government. Any interference on the part of private persons or officials with such property should be the subject of an unofficial representation or protest to the authorities. . . ."⁴² In December, 1914, when Turkish officials opened consular archives of the British and French governments, violating the American consular seal on the door of a room, the American ambassador at Constantinople was directed to "use discretion in presenting this request, remembering that the Government of the United States used only moral persuasion in its efforts to protect other nationals and was not under obligation to use force."⁴³

In the second place, difficult situations are apt to arise in the event that the neutral state, which has permitted its diplomats abroad to protect diplomatic archives of other states, become a belligerent. The diplomatic representatives of the former neutral must assume the responsibility of turning the archives previously protected as well as its own archives over to a second neutral. When in May, 1940, the Department of State authorized the American minister at The Hague to protect British diplomatic archives left in that city, it was careful to instruct the minister that no Polish archives which may have been taken over by the British, be included; appreciating that the German government, after the fall of Warsaw, held the

⁴¹ *Foreign Relations of the United States*, 1918, Russia, I, 665-666, 675-678.

⁴² *Ibid.*, 1914, Supplement, 741.

⁴³ Hackworth, *Digest of International Law*, IV, 505.

view that the Polish government no longer existed.⁴⁴ It might be concluded that the degree of inviolability of diplomatic archives protected by a neutral is conditioned by the fortunes of war.

VI. *Status of Diplomatic Archives Before De Facto and De Jure Claimants*

During periods of civil strife, it occasionally happens that two factions from the same state attempt to maintain diplomatic relations with outside states. Sometimes a dispute arises as to the custody of the post records which had been created by representatives of the *de jure* government; while the outside state is called upon to settle the delicate question as to which of the contenders is entitled to the archives. Such a problem confronted Switzerland in 1918 when a representative of the former Russian government and an official agent of the Soviets quarrelled over diplomatic archives left at Berne. The archives being thus threatened, the Swiss government, after consulting a noted jurist, put the archives under seal. In this condition they remained for an indefinite period.⁴⁵ Switzerland thus acted as a ward for the Russian people or the government that it might some day recognize.

A problem of a somewhat different character faced the Norwegian government. Following the outbreak of the Spanish Civil War, in 1936, the Spanish minister left Oslo; and the chargé d'affaires, Señor Felipe Campuzano, notified the Norwegian Foreign Office of his allegiance to General Franco, thus severing his relations as representative of the Madrid government. Señor Campuzano placed some of the diplomatic archives at his home in Oslo, and the rest with a storage firm in that city. Subsequently, the Loyalist government of Spain appointed Dr. Joaquin Alvarez Pastor as secretary of legation and chargé d'affaires *ad interim*. In 1937 Dr. Alvarez attempted to obtain these records. Through representations to the Norwegian Foreign Office, he succeeded in obtaining a temporary court order. The order, dated November 13, 1937, and effective until March 15, 1938, placed the archives which were at the home of Señor Campuzano under the custody of the sheriff and restrained

⁴⁴ *Ibid.*, 503.

⁴⁵ Compare: Fauchille, *Traité de Droit International Public*, 1, Part III, 75; Charles Morton, *Les Privilèges et Immunités Diplomatiques: Étude Théorique Suivie d'un Bref Exposé des Usages de la Suisse dans ce Domaine* (Lausanne, 1927), 57.

Señor Campuzano from regaining those deposited with the storage firm.

As a result of a lawsuit brought by Dr. Alvarez against Señor Campuzano, the Norwegian court, in 1938, rendered a decision to the effect that maintenance of control and administrative authority over parts of Spain failed to give a *de facto* government rightful possession of the archives. Even if a *de facto* government were entitled to some immunities, it certainly was not entitled to an immunity of this type.⁴⁶ In effect the court decreed that it was the government which Norway had recognized which was the rightful owner of the records. Fortified with a court order, Dr. Alvarez obtained that portion of the records which had been placed at the storage firm. These records were found at the Spanish legation at Oslo a few weeks thereafter by Señor Campuzano, whose government was victorious in the Civil War.⁴⁷

VII. *The Status of Diplomatic Archives Before Third States*

The cases so far discussed concern primarily inviolability of archives between two states. The question now to be raised is whether diplomatic archives are inviolable before all states because of their nature, or whether it is because of the implied or implicit duties and obligations resulting from the recognition by one state of another. Oppenheim⁴⁸ has pointed out that couriers have the right of innocent passage through third states. From this we might infer that if diplomatic archives generally fall into the hands of a third state they should be accorded inviolability. But the unsettled nature of most immunities to be granted third states is reflected in a note from the British Foreign Office in 1930 concerning the immunities in Great Britain of the American ambassador to Spain, who desired passage through Great Britain, but was threatened with a libel suit in that country. The Foreign Office was quoted as stating that "the courts would find no reported case decisive on the point and would have to decide it according to their view of international law and that, in view of the difference of opinion among textbook writers, it was impossible

⁴⁶ "Guerre Civile. Droit à la Detention des Archives d'une Légation," *Revue de Droit International et de Legislation Comparée*, Third series, XX (1939), 411-422.

⁴⁷ I wish to acknowledge thanks to Señor Felipe Campuzano and to Dr. Halvdan Koht, at that time foreign minister of Norway, for reminiscences concerning this incident.

⁴⁸ Oppenheim, *International Law, A Treatise*, I, 635.

to predict the result."⁴⁹ In practice the inviolability of diplomatic archives before a third state seems to rest upon no stronger ground than international comity, adequate enough in time of peace but wholly inadequate in time of war.

In 1777, during the American Revolution, the American Congress sent a diplomatic agent, Arthur Lee, to negotiate at the court of Frederick the Great. The British minister in Prussia, Hugh Elliot, obtained access to Lee's private diplomatic journals by bribing servants at his lodging, and by making duplicate keys to the rooms in which Lee stayed. Shortly after the journals were seized they were returned intact, but only after essential information had been extracted for the use of the British Foreign Office.⁵⁰ Despite the fact that Lee had not been accredited to the Prussian government, the case created a sensation in diplomatic circles. The British government offered no apology for Elliot's act, but rather approved the deed, since George III rewarded Elliot handsomely for what he had done. This case, which might properly come under espionage, is aggravated by the fact that an official diplomatic agent was directly involved. Although the incident violates the propriety of diplomatic intercourse between Prussia and Great Britain, it is hard to say that it is a violation of international law.

In 1915 when the German military attaché in the United States, Franz von Papen, and the naval attaché were recalled, the Department of State obtained from the British Foreign Office safe-conduct passes for their return to Germany.⁵¹ Upon the arrival of von Papen at Falmouth, January 2, 1916, British authorities searched him and seized his papers. Although he vigorously protested this action as a violation of international law, his case was somewhat weakened by the fact that he had in his possession a copy of a note from the Department of State to Ambassador von Bernstorff which read in part: "It is to be also understood that they will, of course, perform no unneutral act, such as the carrying of despatches to the German Government."⁵² The British were quick to print selections of documents found as a White Paper.⁵³ They appear to have kept the data

⁴⁹ Hackworth, *Digest of International Law*, IV, 538-539.

⁵⁰ John Bassett Moore, *Principles of American Diplomacy* (New York, 1918), 19-23.

⁵¹ *Foreign Relations of the United States*, 1915, Supplement, 952.

⁵² "The Papen Papers," *The Living Age*, Eighth series, II (April, 1916), 131-143.

⁵³ *Miscellaneous. No. 6* (1916). *Selection from Papers found in the Possession of Captain Von Papen, Late German Military Attaché at Washington, Falmouth January 2 & 3, 1916* (Command Papers 8174).

relating to von Papen's official activities in the United States, but observed a courtesy in arranging for the return of his private family papers.⁵⁴ During the same year, the Austrian ambassador-elect to the United States, Count Tarnowski, while travelling under a safe-conduct pass, was similarly examined and his papers seized.⁵⁵

An actual case of invasion of an embassy by a representative of a third state occurred on November 11, 1942, when the German Gestapo not only forcibly entered the Brazilian embassy at Vichy, but ransacked archives as well.⁵⁶ In ordering the Germans to leave, the Brazilian ambassador to France, Dantas, declared: "I do not know your Führer. I am the Ambassador of Brazil, accredited to Marshal Pétain." He was answered coldly by one German: "I am a soldier and obey my orders," while another threatened him with a pistol. An appeal to Monsieur Laval and Marshal Pétain proved fruitless; for the old marshal merely expressed the hope that facts so contrary to his will would not impair relations between the two countries.⁵⁷ Subsequently, the Brazilian Foreign Office instructed the Portuguese government, which handled Brazilian affairs in Berlin, to condemn the action of the German military force. In the Brazilian press the incident was treated as a violation of international law. But the status of diplomatic archives of third states, particularly during time of war, is very uncertain and insecure. In practice, warring states have accorded much greater protection to diplomatic archives which are within their own territory and which belong to the states with which they have broken relations, provided the records are in the hands of the representative of a neutral and under seal.

General Conclusions

An examination of the foregoing incidents unfolds certain definite principles. The observance of inviolability of diplomatic archives has varied in accordance with the circumstances. While a telegram cannot be protected by international law, a message under seal is accorded diplomatic inviolability but has been broken open with

⁵⁴ Diplomatic Post Records, Great Britain, Classified Correspondence, 1916, CVI, No. 820, the National Archives.

⁵⁵ *Ibid.*, LVI, No. 701. I wish to acknowledge indebtedness to the Division of Research and Publication of the Department of State for permission to examine files covering notes 54 and 55.

⁵⁶ *The New York Times*, Nov. 14, 1942.

⁵⁷ This is based upon a translation of an article appearing in the Brazilian press. It was received by the writer through the courtesy of the Brazilian embassy at Washington.

apologies. A courier gives a considerably greater degree of safety to a diplomatic message. Archives housed in buildings under the care of the ambassador or minister are usually accorded the highest degree of protection. The *sanctum sanctorum* is the mission itself, for in one modern instance at least, its archives remained untouched while archives around it were seized indiscriminately. But once a state has determined to violate the archives of a diplomatic office, it apparently makes no distinction as to whether the archives are lying open on the table, whether they are locked up, or whether they are under seal in the archival vault of the embassy. No secret is made of the fact that the British government drew no such distinction at the time of the Arcos raid in 1927.

During war, international law so breaks down that only those subjects which are reciprocally agreed upon for mutual benefit will be adhered to by some belligerents. But evidence does point to the fact that in almost every instance during the first World War, diplomatic archives were turned over to neutral representatives by whom they were administered or preserved until peace came. It will be impossible to determine fully the treatment of diplomatic archives during the present war until after hostilities. Two things, however, are apparent. Governments would rather destroy archives than trust their confidential files to possible seizure by the enemy. Secondly, governments are willing to turn over their non-confidential correspondence to the protection of diplomatic representatives of neutrals. Perhaps the realization that confidential archives have in the majority of cases been taken from the files before papers are turned over to a neutral representative acts as a safeguard to what is left behind.

Violations of diplomatic archives have been approved by the diplomatic corps and by authorities on international law in the event that the representative attempted to overthrow the government of the state to which he is accredited. Judging from actions of modern states, violation by a third state of archives created as the result of relations of two other states rests upon a much weaker foundation than archives protected because of the relationship of two formerly accredited states. On the other hand, there is one school of thought, of which Dr. Maurice Travers is the leading exponent, which holds that there are no circumstances under which diplomatic archives may be violated. This, certainly, is the desideratum. It can be main-

tained with logic that once a loophole is admitted in the rule that diplomatic archives are inviolable, any state may under an allegation to suit its convenience seize the archives of another. In so acting the state merely assumes the risk that if no incriminating documents are found, it is obliged to render apologies.

A step forward was taken in the protection of diplomatic archives by a provision incorporated in the codification of international law by the American states and adopted at Havana, Cuba, February 20, 1928: "Diplomatic officers shall be inviolate as to their persons, their residence, private or official, and their property. This inviolability covers: . . . The papers, archives and correspondence of the Mission."⁵⁸ This statement, however, does not carry us beyond the physical limitations of the mission. It is hoped that the general treatises on international law will treat this subject in a degree comparable to its importance.

Second to the question of the inviolability of the informational content of the documents is the question of the permanent preservation of the documents by the original custodian. What happens to the papers after they have been taken? Do they become part of a case file to be maintained among the records of the aggressor state? Are they destroyed? Are they returned after the desired information has been gleaned? The French have observed a neat rule from the eighteenth century to the twentieth that the archives themselves be handed back to the state which created them. But, usually, the archives are only obtainable after difficult and formal negotiations with the result that they often find their way into the hidden recesses of the foreign office of the violator.

The Importance of Safeguarding Diplomatic Archives

Does seizure of diplomatic archives or destruction to prevent seizure mean a serious loss to posterity? Admittedly, the bulk of the important diplomatic correspondence in modern times is recorded at least in essence with the home government. But the future value of these records is suggested by the following examples:

1. The post records often contain detailed information about incidents which is only reflected in brief or in synopsis form among the records of the foreign office. For example, letters from American citizens abroad and copies of letters to them are maintained at Ameri-

⁵⁸ Manley O. Hudson, *International Legislation* (Washington, 1931), IV, 2390.

can diplomatic posts but are usually not copied for use by the Department of the State. Sometimes detailed information preserved at the post becomes of important administrative worth. During the present war, the Department of State has used diplomatic post records over an half century old for important administrative purposes. This information was not available in the department's home office files.

2. The post records serve as security for the preservation of information when despatches or copies of outgoing instructions which are held in the central files of the foreign office and which are borrowed by the operating divisions become lost or mislaid. Then, too, before the use of the typewriter, there were often apt to be differences between the outgoing communications and the copies maintained in the copy books. Such important variations have occurred between the original despatch or instruction and the recorded copy as made by the nineteenth century copyist that some scholars invariably examine both the original communications and the copy in the copy book in their studies of American foreign relations.

3. The difference in the filing arrangement between that adopted in the foreign office and that used in the posts is often a boon to the historian. In the early twentieth century the Department of State filed its correspondence according to a numerical subject scheme, but instructed the posts to file correspondence chronologically. Historians usually utilize both files but rely heavily on one or the other depending upon whether they are making a study of a particular post or of a special subject relating to several posts. This difference in arrangement is so important that sometimes studies become too extensive and are prohibitive to the general scholar if recourse must be made solely to the foreign office files. The mass of integrated materials in a foreign office, for example, may be of such a nature as almost to prohibit a scholar from making a study of an individual post.

Because of the hazards involved in the preservation of post records, special consideration ought to be given to their care. There are two ways that foreign offices can do this. In the first place they can arrange for periodic transfers of post records to the home office after definite periods of time. Thus, diplomatic officers may be instructed to transfer to the home office all records not needed in the current business and which are over twenty years old, every ten years. In the second place, careful consideration ought to be

given to the care of archives immediately prior to a possible break in diplomatic relations. For example, plans should be made to transfer confidential records by plane and to transfer routine or non-confidential records to the care of a neutral diplomatic representative under seal. By so acting the foreign office not only protects its records for future administrative uses, but also serves the historian who follows.

MEREDITH B. COLKET, JR.

Washington, D.C.

ARCHIVO HISTORICO DE HACIENDA

LA FUNDACIÓN del Archivo Histórico de Hacienda (10 de junio de 1939) se debe a la iniciativa de don Eduardo Villaseñor, Subsecretario de Hacienda y Crédito Público, iniciativa que no tuvo como fin exclusivo el formar un archivo de documentos antiguos de interés histórico, si no crear una fuente básica de información relativa a nuestra económica, colonial primeramente y después nacional; fuente indispensable para el estudio de una verídica historia.

Forman el Archivo Histórico de Hacienda los acervos documentales del archivo de la Real Hacienda y el de la Secretaría de Hacienda, que como se sabe es una de las primeras fundadas por el Gobierno Independiente; comprende documentos de los siglos XVI a XIX.

El material indicado se ha encontrado almacenado durante su larga existencia, disperso y desordenado, en diversos lugares inadecuados, donde ha estado expuesto a los perjuicios de la humedad, polvo e insectos; ha habido necesidad de seleccionar documento por documento de entre otros de diversas materias.

En la organización se procura, en lo posible, ajustarse a la que por ramos llevaba la Real Hacienda, que coincide en gran parte a la que lleva el Archivo General de la Nación. Es justo mencionar que aun el desorden en que se encuentran los documentos se observa que en las diferentes épocas existieron buenas organizaciones documentales, pero principalmente en el siglo XVIII; se puede poner como ejemplo el arreglo de los expedientes del Consulado de México, su orden de trámites es perfecto, sus anotaciones para relacionar la documentación y expedientes entre sí son oportunas y exactas; están clasificados por ramos, es decir: según la organización administrativa de la época; cosidos y foliados. Lo que demuestra que las administraciones de ese tiempo se preocupaban por tener buenos archivos.

El conjunto de documentos organizados y que forman en la actualidad el Archivo Histórico de Hacienda, es muy rico de datos inéditos o poco conocidos. Sólo mencionar los títulos de los ramos organizados dará una idea de su importancia: aduanas, alcabalas, avería, azogue, bulas santa cruzada, casas de moneda, comunidades indígenas, consulados, convoy, cuarteles, diversiones públicas, dona-

tivos y préstamos, filipinas, intendencias, justicia eclesiástica, marina, media annata, mercedes y salarios, mesadas eclesiásticas, minería, naipes, papel moneda, pólvora, segundo imperio, temporalidades y tributos. Entre estos ramos los hay de gran interés para el estudio de los diferentes puntos de vista de nuestra historia colonial; como por ejemplo: en el de temporalidades encontramos la relación de la venida de los miembros de la Compañía de Jesús y de su fundación en la Provincia de México (1602, manuscrito anónimo con 29 fojas); la administración de los bienes de dicha Compañía; informaciones de limpieza de sangre y fes de bautismo; estudios sobre vocabularios de lenguas indígenas; misiones en Californias, Filipinas, Japón y Sonora y Sinaloa; sermones; situados, etc. En el de consulados, importante ramo, ya que tanta significación tuvo en la vida económica de la colonia, encontramos la Real Cédula de erección del Consulado de México, que decretó su funcionamiento al igual que los de Sevilla y Burgos (1592) Estudios, opiniones y administraciones de los negocios importantes que tenían encomendados, como: alcabalas, avería, caminos, etc. Bajo otro aspecto, también interesante, encontramos el ramo de intendencias, en que aparte del interés administrativo, tiene otros datos, entre ellos biográficos de los hombres de representación en aquella época, que ocuparon o pretendían ocupar puestos dependientes de las dichas intendencias; entre las propuestas encontramos una de don Rafaél Pérez Maldonado, que posteriormente ocupó la primera Secretaría de Hacienda del Imperio de Iturbide; el famoso proceso del asesinato del Intendente de Mérida de Yucatán, don Lucas de Gálvez; la entrega de la provincia de la Florida, que hizo el Mariscal de Campo de S.M. Británica, Patricio Tonyn y el Brigadier MacArthur a don Vicente Manuel de Céspedes (1784). Y así como ésto, se podrían continuar mencionando infinidad de datos curiosos e interesantes.

La Secretaría de Hacienda persigue tres propósitos fundamentales con la organización del Archivo Histórico de Hacienda: (1) La creación de una fuente de información historico-económica. Hasta la fecha ha organizado más de 300.000 documentos en 15.385 expedientes guardados en 1.151 legajos. La documentación hasta ahora organizada se encuentra depositada en el Archivo General de la Nación. Se tiene en proyecto la reunión, en un solo local, de la que el Archivo General tiene en diferentes sitios, y también la dis-

persa en los archivos de la República, así como sacar copias de toda la documentación que se encuentra en los del extranjero, es decir: se pretende formar lo mas completo posible un archivo de nuestra historia económica. (2) La publicación de un órgano de información que constantemente tenga al corriente a los interesados de la organización del archivo, de los adelantos en élla. Se encuentran catalogados la mayor parte de los expedientes mencionados en 13.800 cédulas ordenadas por ramos, dentro de éstos por asuntos y después por orden cronológico. Están proyectados otros catálogos, como el onomástico, geográfico y cronológico que serán indispensables para la pronta información y buen manejo del archivo. Tomando como base el catálogo formado, se prepara el material para la publicación de la "Guía del Archivo Histórico de Hacienda," en hojas sueltas de la que hasta la fecha se han publicado más de 500 hojas que se han distribuído entre historiadores, economistas y otras personas e instituciones interesadas en esta rama de nuestra historia. (3) La publicación de una serie de documentos que se consideran importantes para el conocimiento del progreso económico del pueblo mexicano. De esta serie se ha publicado el primer volumen titulado "La Libertad del Comercio en la Nueva España en la Primera Década del Siglo XIX," prologada por el profesor señor Luis Chávez Orozco. El profesor y eminente historiador señor Joaquín Ramírez Cabañas, se encuentra preparando nuevos volúmenes que están próximos a aparecer. "La forma de presentación es muy modesta a causa de los escasos recursos del Erario; mas se ha juzgado que lo importante en la publicación de documentos inéditos o muy raros, no estriba en la presentación lujosa, sino simplemente en darlos a la luz pública, de cualquier manera que sea," dice, en el primer volumen publicado, el Profesor Jesús Silva Herzog, Director General de Estudios Financieros, del cual depende el Archivo Histórico de Hacienda.

AGUSTÍN HERNÁNDEZ

REVIEWS OF BOOKS

RICHARD G. WOOD, Editor

The National Archives, Washington, 25, D.C.

American Historical Societies, 1790-1860, by Leslie W. Dunlap. (Madison, Wisconsin. Privately printed, 1944. Pp. ix, 238. \$3.50.)

The author limits the meaning of the term American historical society to an association of individuals "organized primarily to collect, preserve, and make available the materials for the history of the United States or a section of it." He states that his purpose is to describe "the character of the societies before 1861 and their contribution to our knowledge of American history." The ten chapters that make up Part I contain much interesting information about the methods of organization of individual societies, their financial policies, kinds of materials assembled and attempts at cataloguing them, and about the publication ventures and other projects to diffuse those materials. These data—drawn, we are told, largely from the correspondence and minutes of proceedings of the societies—appear to have been set down without much sifting or organizing, with consequent repetition and some conflict of statements. There is so much duplication in Part II of the material in Part I, that it seems to this reviewer that the sketches of the sixty-five societies—falling as they do, more or less, into one pattern—might, with real gain in effectiveness, have been presented in table form for quick and easy reference. Some readers may wonder at certain omissions, although the author seems to leave no room for a difference of opinion as to which societies fall within the scope of his definition.

In spite of his purpose as stated in the preface, Mr. Dunlap concludes that "it is, of course, impossible to determine the importance of such intangibles as the influence of sixty-five institutions on the development of an interest in history throughout the land." General tendencies among the societies studied which became precedents for later effective organizations can, however, be detected, and one wishes the author might have found it possible to summarize such tendencies. The study complements the *Historical Societies of the United States and Canada* handbook and Franklin F. Holbrook, *Survey of American Agencies in Relation to the Humanities* by its useful information about defunct societies and the clues it affords to the present whereabouts of their collections of historical materials, thereby being a helpful bibliographical tool. Some of the policies and activities of individual societies described contain suggestions worthy of consideration by societies today. The broad concept of history as understood by the American Antiquarian Society when it stated in its *Proceedings* for 1849 that "The history that is hereafter to be written is not to be

merely the history of government and of politics but the history of man in all his relations and interests, the history of science, of art, of religion, of social and domestic life," and by the Virginia Historical Society when it recorded the same year that "it was generally understood that history should not be merely 'the transactions of the *government* of a country, but the doings, the progress, the character, of its people' "; Peter S. Duponceau's declaration in 1840 that "the publications of a historical society should possess 'a literary and . . . *popular* character by which means they will be more generally read and more extensively diffused' "; the historical pilgrimage, the popular lecture, the printed circular describing the kinds of records that the societies solicited—all make one conscious of how much that has been considered modern and novel in the approach to and an understanding of the problem of creating and fostering an interest in American and local history was realized and practised by Isaiah Thomas, Lyman C. Draper, and other outstanding pioneers in the effort to preserve the materials out of which alone our history can be written; and we are grateful to Mr. Dunlap for helping us to appreciate our great debt to their labors.

EDNA L. JACOBSEN

New York State Library

Historical Societies in the United States and Canada. A Handbook, compiled and edited by Christopher Crittenden, editor, and Doris Godard, editorial associate. (Washington, D.C. The American Association for State and Local History, 1944. Pp. x, 261. \$2.50.)

One of the principal motives behind the founding of national, regional, state, and local historical societies has been the preservation and the making available of archival material and private manuscripts of historical value. During most of the century and a half since this work began, these societies have been the only agencies actively engaged in gathering archival material, and by means of print they have made hundreds of volumes of it available to the public. Some of the societies have been official repositories of public records, and all have gathered in private papers.

The primary difficulty in obtaining access to this material has been in determining what societies are active in a particular area and in making contact with the responsible officers. This volume is a directory of the 1,464 societies now or recently active. Besides addresses it gives names of officers, the size of libraries, the character of book and museum collections, the availability of photo-copying service, lists of publications, and information as to membership. A very full index makes it possible for the user of the volume to locate individuals, publications, and specialized collections which could hardly be found otherwise. The book is absolutely invaluable to anyone who has reason to consult records or manuscripts outside of his own collection.

It is difficult to see how this volume could have been made more useful. Its editing nears perfection; the only error which the reviewer has found is one which he himself made in the report of his own society. The editors are more apologetic than they should be about the minor societies on which it was impossible to obtain a revision of the data which appeared in the 1936 edition of this handbook. In most of these cases the difficulty has been that the officers of these societies were too preoccupied with matters relating to the war to fill in and return the rather long questionnaires which were sent to them. Some thought was given to the desirability of holding this edition of the handbook until after the war for that reason, but so great was the demand for the volume that it seemed wise to bring it out as originally planned.

CLIFFORD K. SHIPTON

American Antiquarian Society

Catálogo de los fondos del Real Consulado de Agricultura, Industria y Comercio y de la Junta de Fomento. [Publicaciones del Archivo Nacional de Cuba, I.] (La Habana. Imp. El Siglo XX, 1943. Pp. xlv, 655.)

Correspondencia Diplomática de la Delegación Cubana en Nueva York durante la Guerra de Independencia de 1895 a 1898. Tomo primero. [Publicaciones del Archivo Nacional de Cuba, II.] (La Habana. Imp. El Siglo XX, 1943. Pp. xlviii, 171.)

In connection with the celebration of the centenary of the founding of the National Archive of Cuba, a new series of publications has been inaugurated under the editorship of the director, Captain Joaquín Llaverías. The volumes here reviewed are the first to appear and represent two types of archival publications.

The first item which is termed a catalogue is in reality an alphabetical index of subjects, with the entries under each subject arranged chronologically. The materials listed comprise the papers of the Real Consulado y Junta de Fomento, Spanish institutions in Cuba interested and active in all phases of the economic life of the island. The collection comprises 209 legajos and 211 volumes. Upward of 9,500 items are listed in the *Catálogo*, covering the period from 1795 to 1877. Some of the subjects for which the entries take up numerous pages are: *Calzada* (paved highway, 14 pp.), *caminos* (roads, 15 pp.), *cimarrones* (runaway slaves, 29 pp.), *cuentas* (accounts, 30 pp.), *ferrocarriles* (railways, 16 pp.), *muelles* (wharves, 12 pp.), *negros* (25 pp.), *privilegios* (concessions, 31 pp.), *puentes* (bridges, 17 pp.) and *suelos* (salaries, 11 pp.). These ten subjects occupy about one third of the pages of the volume. Each entry comprises the number of the *expediente*, the dates, the title, and the number of the legajo. There is an historical introduction by Captain Llaverías, which gives extensive quotations from important documents relating to the

Consulado and the Junta de Fomento. A foreword by Dr. Emeterio S. Santovenia and a general index are included.

The second item in the series is volume one of a collection of diplomatic correspondence of the Cuban delegation in New York during the War of Independence. This volume contains 204 letters written mostly by Tomás Estrada Palma, between November 12, 1895, and March 4, 1898. They treat of a great variety of subjects vital to the prosecution of the War against Spain in Cuba. An illuminating and interesting historical introduction by Captain Llaverías presents the principal facts regarding the delegation and its activities. The foreword is by Dr. José Agustín Martínez, a former minister of state. There are also portraits of Martí and Estrada Palma, as well as a general index.

These publications of the archive are sponsored by the Permanent Directive Council of the Archives of the Republic of Cuba consisting of Dr. Emeterio S. Santovenia for the Academy of History of Cuba, Dr. Julián Martínez Castells for the Pan American Columbus Society, Dr. Felix Lizaso for the Direction of Culture of the Ministry of Education, and Captain Joaquín Llaverías, director of the National Archive. The volumes represent a worthy and positive contribution to archivology in the Western Hemisphere.

ROSCOE R. HILL

The National Archives

Fourth Annual Report of the Archivist of the United States as to the Franklin D. Roosevelt Library, Hyde Park, N.Y. for the Fiscal Year Ending June 30, 1943. ([Washington,] 1944. Pp. ii, 14. Processed).

This is a particularly interesting report for a number of reasons. In the first place it deals with an institution whose resources cover a wider field than archives alone. The Roosevelt library receives manuscript material, sound recordings, motion pictures, printed materials, and museum pieces. In fact, it represents the lifetime activity of the President in its many phases. Consequently the library receives all materials which are presented to it by the President and such materials from others as the President approves. It is expected, however, in the latter connection that materials from persons other than the President shall be restricted to the area of the lower Hudson valley. It would seem that this is a wise policy.

This report is interesting for a second reason. It deals with the administrative organization, the use of building and equipment, the use which may be made of materials deposited in it, and the fiscal affairs of the library. In these respects the report is a model for reports on similar institutions even as the library itself is a model for institutions of a like nature.

Acquisitions during the year included many volumes of Roosevelt family papers as well as approximately four hundred feet of White House official

and the President's personal files. The total holdings of manuscript material of the library amounted to nearly nineteen hundred cubic feet at the end of 1943. This is an imposing amount. Other materials have been acquired at substantially the same rate as manuscripts.

ALBERT B. COREY

The University of the State of New York

Annual Report of the Public Archives Commission, State of Delaware, by the State Archivist for the fiscal year July 1, 1943 to June 30, 1944. (Dover, Delaware. Hall of Records, 1944. Pp. 33.)

Other archivists, like this reviewer, are likely to find the annual report of their colleague from Delaware, Mr. deValinger, to be very stimulating reading. One is impressed above all else by the diversity of the tasks undertaken by the Delaware Hall of Records, all of the tasks that one might imagine to be suitable for an archival establishment. The economy of this arrangement may be illustrated by a comparison with some Maryland practices: testing of papers and writing materials is a function of the Land Office in Maryland, war activities are handled by a special War History Commission appointed by the governor, historical markers are placed and maintained by the State Roads Commission. Perhaps it would not be possible to do so much in a larger state than Delaware, but judging from Mr. deValinger's report of progress there can be no doubt of the desirability of such a plan in that state.

One of the bright features of this report is the continued increase in the volume of records destroyed. The archivist who undertakes to store all records will not only fail himself but he is liable to undermine the whole idea of central archives establishments. Sooner or later the taxpayer will turn on him in wrath. Some exception should be taken to Mr. deValinger's section on "Classification." The items which he mentions there do not seem properly to fall into that category. The "Financial Statement" is all too brief and the discussion of the "Staff" is inadequate. Perhaps it would be better for all of us if we exchanged fuller information on such matters. Serious objection might be taken to the section listing accessions. The items do not seem to be arranged in any order easily recognizable. But these objections are all minor, the important thing is that Mr. deValinger has given us here a clear account of the functioning of an efficient institution.

MORRIS L. RADOFF

Maryland Hall of Records

Annual Report of the Staff of the Historical Society of York County, 1943. [York, Pa., 1944.] Pp. 16.

The staff report covers the period from November 30, 1942, to December

31, 1943, "in keeping with a resolution of the Board of Trustees that the Society's fiscal year coincide with the calendar year." Under the caption "Manuscripts" some of the gifts received are listed and one interested in business archives will note: a compilation of available local records of the Codorus Navigation Company; forty-four day books and ledgers of Dr. John Ahl and Dr. Jacob Mathias Gross, two physicians of Dover, Pennsylvania, covering the period 1846-1929; and day book of Peter Wiest, 1843-1844, presented on the centennial anniversary of the firm of P. Wiest's Sons. Among the "Historical Research, Copying and Indexing . . . Projects Completed" are Graceham (Maryland) Moravian Records, an abstract alphabetically arranged by family groups, 1759-1851, translated and edited by Henry J. Young, as well as transcripts of a number of registers of Pennsylvania churches, most of them Lutheran. Albert J. Byrnes, who has done most of the microphotographic work since this department was established in 1936, microfilmed records of twenty-four churches including the Warrington Monthly Meeting minutes and index, 1747-1785, and other Quaker records.

To this report is added in the form of inserts the report of the treasurer (1943), and a newspaper reprint of an article on the Berger Musical Family of York, by James W. Shettel, and another on First Negro Minstrels, by the same author. The two latter are for public distribution by the society.

NEWMAN F. MCGIRR

The National Archives

Records of the Columbia Historical Society of Washington, D.C., 1942-1943, Volume 44-45, edited by Newman F. McGirr. (Washington, D.C. The Columbia Historical Society, 1944. Pp. vii and 392. Illustrated. \$3.50.)

The present volume of the *Records* not only illustrates that the National Archives is continuing to perform a service to the students of the nation's capital but also that members of the staff of the National Archives are developing an interest in the history of their adopted city. Several articles contain citations to source materials deposited in the National Archives. Two contributors, Mr. Newman F. McGirr and Mr. Herman Kahn, have long been on the staff of this institution, while Dr. Gibbs Myers served as an employee for several years.

A truly scholarly approach to population composition in early Washington is Dr. Myers' "Pioneers in the Federal Area." He treats of the growth of the city, the nativity of its people, caste barriers, slaves and free Negroes, tradesmen, government clerks, and social classes. Washington, in those days, had more foreign-born residents than all the states in the union other than Maryland and Virginia. With excellent arguments from source materials, Dr. Myers presents the thesis that Washington was not what the forefathers had

struggled so hard to obtain, a city where each state would have equal privileges, but "in reality a provincial resort monopolized by a Maryland and Virginia plantation gentry."

Mr. Herman Kahn's "Appendix to Pierre L'Enfant's Letter to the Commissioners May 30, 1800" reprints a document now in the National Archives which sheds further light on the foresight of L'Enfant. The existence of this was noted in Miss Bethel's paper on pages 178-179 of Volume 42-43 of the *Records*. Its publication supplements the memorials of the city's first architect which appear in Volume 2 of the *Records*.

Of considerable value to libraries and research students is the 37-page subject index of "Illustrations in the Records of the Columbia Historical Society, Volumes 1-42/43, Printed 1897-1942," by Mr. Newman McGirr. This may be purchased from the society as a separate for \$1.00. Mr. McGirr is much to be commended both for the preparation of the index to illustrations and the editing of this fine volume, which, despite the war, is the largest yet published by the Columbia Historical Society.

Two articles may be the last printed articles of the respective contributors. One, the leading article, concerns an ever popular subject, the life of colorful and politically significant Peggy O'Neal[e]. The other, "Early British Diplomats in Washington," contains an excellent account of the Washington lives and residences of British ministers from 1800-1874. The author of the first, Mr. Allen C. Clarke, since 1916 president of the Columbia Historical Society and compiler of more books and articles on Washington history than any other one man, died May 16, 1943. The author of the other article, Dr. Charles O. Paullin, who is well known to archivists for his *Guide to London Archives for the History of the United States Since 1783* and his association with Dr. John Franklin Jameson at Carnegie Institute, died September 1, 1944.

MEREDITH B. COLKET, JR.

The National Archives

SHORTER NOTICES

RICHARD G. WOOD, Editor

The National Archives, Washington 25, D.C.

The Report of the Board of Trustees of the Public Archives of Nova Scotia for the year ending November, 1943 (Halifax. King's Printer, 1944), by Professor D. C. Harvey, who has been archivist of Nova Scotia since 1931, follows along the same line as the previous reports: a letter of transmittal, a brief report of progress, a financial statement, appendices listing the donations and donors, and the publication of a small number of documents received by the archivist.

Reports of this character, while indicative of progress, are also indicative of the "historical repository" attitude toward the archives and archival establishments common to many countries and most states and provinces. Very few seem to have acquired the idea of the function of the archival establishment as a part of the administration of government.—EDWARD F. ROWSE

On January 1, 1943, the Schweizerisches Wirtschaftsarchiv, one of the oldest business archives of Europe, ceased to be a section of the State Archives of the Canton of Basel-Stadt and was placed under the authority of the State Education Department as one of the research collections of the state university. The transfer of the Wirtschaftarchiv from an archival to an educational agency undoubtedly has something to do with the fact that, in recent years, the archival activities of the institution have come to be overshadowed by the collecting and servicing of printed material pertaining to business and industry, a development that continued in 1943. The 34. *Bericht des Schweizerischen Wirtschaftsarchiv in Basel für das Jahr 1943* (Basel, 1944. 11 pp.) expressly states that it now serves "in the first place as a documentation center for the most pressing problems of the day." Some archival and manuscript material has been accessioned, but, in quantity at least, it is far surpassed by printed government documents, statistical material, and annual reports of business firms and corporations.—E. POSNER

NEWS NOTES

KARL L. TREVER, Editor

The National Archives, Washington 25, D.C.

THE SOCIETY OF AMERICAN ARCHIVISTS

Report of the Secretary

November 8, 1944

This is the third meeting of our Society since the United States entered the present war. The convention at Hartford, Connecticut, in October, 1941, at which Dr. Waldo G. Leland delivered his timely address on "Historians and Archivists in the First World War," found our profession at least partially prepared for M-Day when it suddenly came two months later. The Society of American Archivists had already modified its program in accordance with the needs of the national emergency, as its records clearly show; since Pearl Harbor it has endeavored to function increasingly on behalf of the war effort and in relation to problems of peace as they may be anticipated. In no previous war has the significance of archives and historical records thereto been so widely recognized. The awareness in the United States of their value was doubtless sharpened by the growth of our profession during the decade of the 1930's and, as a result of this growth, trained personnel has been available in considerable measure for the emergency.

Although a government directive has greatly restricted attendance of members who are employed in federal agencies in Washington, it is not an irresponsible attitude of "business as usual" which brings us together at this eighth annual session. We meet, it is true, with an assurance of victory by the United Nations which we could not feel so confidently a year ago. If, however, any justification is required for large-scale discussion and intensified study of records and archival problems by Americans, we may point to our responsibility in this field at home and abroad. Although the lights are going on again in Europe, they will be burning dimly long after the Nazi hordes have ceased to perpetrate their destruction, both wanton and purposeful, of the records whereby men safeguard their civilized way of life. We have a personal touch with this situation through our members, civilian and military, who are contributing directly by their work in records administration, protection of historical materials, and in the operation of military government in occupied territory. Some have gone on special missions from their offices in this country; others are on prolonged assignments abroad in the field as well as at headquarters. A member of our Council writes that after eight months in the open he "could stand some civilized living" and be content "to sleep no more in wheat fields, olive groves, swamps, and on mountain

sides. I think," he continues, "that I can again get accustomed to sleeping in a bed and in a house, to shaving with hot water, and to taking baths." These men are going to bring back first-hand accounts of archival problems and historical records of their own that may enliven future programs. Meanwhile we have war and post-war duties at home too, partially illustrated by our program today and tomorrow. Since America has fortunately escaped invasion, the advancement of western culture rests to a large degree in our hands. In that undertaking the archivist's responsibility is basic.

The attendance at the present meeting, comparing favorably with last year's at Princeton, bespeaks the importance of this function of the Society in the opinion of its members. The evidence is all the more emphatic in view of the great national event in which everyone desired to participate yesterday and the calm though varied feelings with which we now face the results. The archivist enjoys creating important records occasionally as well as caring for them. Many of us had to vote and run to arrive in this "doubtful state" of Pennsylvania on time. It should be emphasized that our meeting in Harrisburg is an expression of our earnest desire to support the development of a state archival institution in Pennsylvania. Dr. S. K. Stevens' exposition of the need for a public records program for this commonwealth, presented earlier today, opens the way for our co-operation. Similar opportunities exist in numerous other states especially in the East and the Far West. The concern of the Society equally with historical manuscripts and archives is reflected in the sessions on arrangement of materials, publication of manuscripts, local archives and the local historian, care of maps, and the proposal for historical internships. That custodians of governmental archives and of manuscripts have many problems in common becomes increasingly evident; that their legal aspects present striking differences is suggested forcefully in Miss Norton's presidential address. We turn again to the subject of foreign archives and the war, on the Continent, as a sort of counterpart to the address of last year on British archives. A word of appreciation is due Chairman Howard Peckham and his Program Committee for the fruitful results of their planning.

Our Society also enjoys the benefit of another joint session with the American Association for State and Local History. Some of the objectives of the two organizations are closely alike. While many persons in attendance are members of both, the archivists welcome the opportunity to widen their acquaintanceship and to hear the program of the association. Last December the Society of American Archivists held a joint luncheon session with the American Historical Association during the latter's convention in New York City. The subject for discussion was Archive Problems of a Municipality, with a paper on "Municipal Administrative Archives" by Rebecca Rankin, and another on "Federal Archives" by Oliver W. Holmes. In view of the

movement in New York on behalf of a municipal archives, this was an important session, with a capacity attendance.

Outside the annual meetings the most tangible evidence of the Society's activities to most members is *THE AMERICAN ARCHIVIST*. Upon its continued and greater success depends much of our professional recognition and advancement. Subscribers to the magazine in the form of a variety of libraries are essential to its publication, and they are on the increase, as I shall point out in more detail later. We gratefully acknowledge the subvention renewed again by the University of Illinois which provides for operation of the editorial office there under the direction of Professor Theodore C. Pease. The book review service has increased, thanks to the efforts of Richard G. Wood, and the high caliber of the news notes has been maintained by Karl L. Trever. A Committee on Archival Research, set up last year, is endeavoring to bring about, by a canvass of the field and encouragement of potential authors, a larger influx of articles for consideration by the editor and his board for publication. Fifteen suggestions for possible papers were made to such potential authors, resulting in the preparation of several manuscripts submitted to the editor. It is too early to say how many of these will be published or how fruitful the work of this committee is likely to be. War service has diverted many of our members from writing, but as suggested previously, there should be an abundance of excellent material in the making by these colleagues of ours to swell the editor's files in the near future. The contents of *THE AMERICAN ARCHIVIST* have been criticized for the dearth of articles on techniques and the practical problems of the profession; likewise for a disproportionate number of articles on archives and archival materials in comparison with those on historical manuscripts and their repositories, as illustrated by the issues of the past year. Whatever the Committee on Research can do to remedy this situation, I believe that Professor Pease would remind us that he looks at his non-contributors with an impartial but challenging eye.

Beginning with the January, 1944, issue, each author has been supplied with reprints of his article instead of with extra copies of the number in which it appeared. Authors prefer the reprints; however, since they add considerable to the cost of publication which is on the increase, in any case, it is not certain that they can be continued. The second list of "Writings on Archives and Manuscripts," for the year July, 1943-June, 1944, compiled by Karl L. Trever and Mary Jane Christopher, is published in the October issue of *THE AMERICAN ARCHIVIST*. Now that this compilation, the product of the Committee on Writings, is established as an annual event, I hope we shall long have the pleasure of looking forward to this bibliographical contribution each autumn. I take this opportunity to remind our members that reprints of the "Writings" for 1942-1943 are available and will be for 1943-1944

through the secretary's office at twenty-five cents per copy. The committee is also at work on a select list of publications on archives and manuscripts issued prior to June 30, 1942, when the annual lists began. During the past year President Norton has suggested the advisability of an annual report on record legislation passed with brief summaries and bibliographical citations to session laws and statutes. It might be confined to legislation sponsored directly by archivists but include all sorts of laws—for example, in relation to recording by photography, to papers and inks, and especially to county recorders and other county officers.

The activities of the Society's committees will be reviewed, as in my report of last year, under several general headings. The first is research and publication, which includes the "Writings" and the Committee on Archival Research, already discussed. The Committee on Publication Policies of Archival Agencies, Leon deValinger, Jr., chairman, has recently undertaken a new project. Foreseeing a movement throughout the country after the war for the writing and publication of war histories by the states and counties, individual firms, and various federal agencies, the committee "believes that these as yet unwritten histories would be of better quality than those of World War I if those in charge of their production had in their hands a guide or a manual suggesting methods to be used in the publication of such war histories." Principal subjects for discussion in the manual would be methods of compilation, chapter contents and arrangement, editorial procedure, methods of publication, use of illustration, selection of type style and paper, publishing and binding specifications, and bibliographies of recommended war histories and of editorial guides. If this project can be developed promptly and its product made easily available, it will meet a nation-wide need at the close of the war and for some time afterward.

Under the classification of committees concerned with special fields of records is the new Committee on Municipal Archives, of which Richard B. Morris is chairman. It grew out of the lively session of the Society with the American Historical Association, mentioned earlier in this report, at which the New York City project carried on by the Mayor's Municipal Archives Committee was presented. In the face of opposition by certain city officials, the municipal reference librarian on the mayor's committee appealed to our Society for support. Although our committee includes certain New Yorkers who by their prestige can aid the campaign for a municipal archives in their city, the Society of American Archivists aims to establish close relations with municipal archivists and other interested officials throughout the nation, to acquaint them with the purposes of the committee, and, in turn, to be kept posted by such officials of situations that need our support in preventing destruction of valuable city records and in fostering public interest in sound archival policy. The committee also proposes to ascertain in which munici-

palties physical facilities for housing archives are thoroughly inadequate and which lack legislation insuring proper archival safeguards.

Pursuant to a proposal in my report of last year that the Society investigate the status of the archives of selected organizations in special fields such as education, religion, labor, fraternal work, etc., a Committee on Institutional Archives was appointed with Walter Hausdorfer as chairman. This committee of six prepared a questionnaire asking briefly for the name and address of the organization, person in charge of the archives or files, their accessibility and to whom, a brief history of the organization, housing, extent of holdings, discard policy, organization of archives, indexes, catalogues in existence, publication of documents, and possible deposit of older records not ordinarily kept in a research library. Each member of the committee canvassed organizations in one of the following fields: business firms and trade associations; Catholic archives; Protestant archives; educational institutions, *viz.* colleges and universities; patriotic organizations; and finally, labor organizations and fraternal societies. This committee's project has great potentialities in opening virgin fields of activity for the Society, not to mention the possible benefits to scholars in quest of original materials now virtually undiscovered or inaccessible. Within certain limits the returns from the questionnaire were encouraging. Although the project is only in its preliminary stage, already the problems ahead have become more clearly defined. I heartily recommend a careful reading of the committee's report (in the present issue of *THE AMERICAN ARCHIVIST*, pp. 80-82). To some of our members it will suggest helpful ideas which Dr. Hausdorfer and his co-workers will be eager to receive.

Planning and policy as a phase of the Society's activities are represented by the Committee on Archival Buildings, whose first endeavors under the chairmanship of Captain Victor Gondos were presented in a session at our annual meeting last year. During 1944 the committee continued to compile information of plans and programs for archival structures in the several states. Since the details of these developments can be read in the published report (see below, pp. 77-80), suffice it to say that post-war archival plans of this nature are meeting with encouragement in Connecticut, Colorado, Michigan, New York, Pennsylvania, Vermont, Washington, Wisconsin, and Hawaii. The papers read at the Princeton meeting of the Society were published as *Bulletin* No. 6 of the National Archives under the title "Buildings and Equipment for Archives." Also in the category of planning is the work of the Committee on Uniform Legislation, A. R. Newsome, chairman. The draft of its "Proposed Model Act to Create a State Department of Archives and History," submitted to the Council a year ago, was published in the April, 1944, issue of *THE AMERICAN ARCHIVIST*. A few reprints are available in the secretary's office. The committee has now in preparation a suggested model law for the establishment of a state agency exclusively archival in character.

The Committee on Local Records with Harold S. Burt as chairman, which evolved from a previous Committee on Training of Archivists, has been concerned with exploring ways and means of educating lay custodians of archival material in the local field. The new committee has charted its course somewhat in the light of the experience of Illinois and Connecticut in bringing the care, preservation, and disposition of local archives to the attention of local officials. One member of the committee, Mr. C. Kenneth Blood of the Illinois State Archives, attended the convention of the National Association of County Officials at Syracuse, New York, where he had an opportunity by personal interview to sound out their interest in the care of local archives. Mr. Blood presented the interest of our Society in local records so effectively to the officers of this association that we have the promise of an opportunity to participate in the program of their next convention. The Committee on Local Records hopes in the coming year to gather information from representatives of all the states in order to provide a complete picture of the work throughout the country. The committee has assembled at our present meeting an exhibit of some of the tools used in this educational program.

A final group of committees has been engaged in work essentially promotional in character. During the past year a Committee on Publicity was established with Mrs. Elizabeth E. Hamer as chairman. Hitherto the responsibility for publicizing the activities of the Society fell chiefly upon the secretary who already had his hands full with a multiplicity of duties. The purpose of the new committee, well expressed by the chairman in her report, is "to furnish information that may be of use to actual and potential members of the Society and to publicize the Society in order to build up its membership and increase its stature as a professional organization." Reviews that appeared in *THE AMERICAN ARCHIVIST* were clipped and sent to the author of the publication reviewed and to the reviewer. Likewise, sections of the News Notes not likely to come to the attention of those concerned were clipped. The committee handled publicity about the "Writings on Archives and Manuscripts . . . 1942-1943" and the reprint of this bibliography. The list of archival authorities in the states, mentioned in the secretary's report of last year, has been revised by the publicity committee and might well be considered for publication. The chairman also suggests that other committees send in notes of activities in their fields for possible spot press releases or for publication in various journals. Publicity on the present annual meeting is a result of this committee's work. If in the coming year its label is changed to Committee on Information (thus necessitating a cross reference in our files), be it known that such change is in deference to the chairman's advice that we Americans, being highly susceptible to publicity, have a strong aversion for the word which like "propaganda" makes us victims in spite of ourselves. Therefore I warn you to be on guard against the possible use of that more subtle word, "information"!

The Committee on International Relations, following up its suggestions of last year on increasing the membership of the Society abroad and accordingly securing a wider circulation for *THE AMERICAN ARCHIVIST*, has made proposals, in conjunction with the Membership Committee, for the creation of three types of foreign memberships: (1) Corresponding members—made up of the principal or leading archivists of foreign countries, to be designated by the Society, with no membership fee; (2) Regular foreign members—open to any interested individual, resident abroad, upon payment of an annual membership fee of, say, \$1.00 or \$1.50; (3) Foreign institutional members—open to archives, libraries and other agencies abroad, on payment of an annual fee fixed at not more than about \$3.00. These figures aim to allow for relatively low salaries in foreign countries and their unfavorable rate of exchange. The Committee on International Relations has been working on a list of foreign archivists and, through the co-operation of Miss Marian Forero of the Pan American Union Library, on translations of two publications of the National Archives into Spanish. Some thought has also been given to the preparation and translation of a leaflet on the aims and objectives of the Society for foreign readers. It is appropriate to note at this point that the Council voted last winter to present a complete file of *THE AMERICAN ARCHIVIST* to the National Library of Peru which had been destroyed by fire. This gift was sent through the good offices of the Library of Congress.

Turning now to a tally of individuals and institutions affiliated with and supporting the Society of American Archivists, I can report that through another war year we have registered a gain in every category. Dr. Philip C. Brooks, chairman of the Membership Committee, states that "it is reasonable to believe that the increases in membership are largely explained by a broadening of general interest in the selection, care, and utilization of archives and historical manuscripts." To his explanation I shall add the well planned efforts of his committee, based upon a careful survey of geographical, institutional, occupational, psychological, and historical factors (to mention only a few). If anyone should suspect that I am prejudiced in favor of the chairman, our former secretary, I make no denial; instead, I recommend a re-reading of the Membership Committee's excellent report for 1943 in *THE AMERICAN ARCHIVIST* of last January and a reading of their report of like caliber for 1944 in the present issue (pp. 83-84). The statistics for this year, to date, are as follows: 268 individual members, representing a net gain of 8 over last year's figures; 38 institutional members, representing a net gain of 4; 1 life member, who transferred from annual membership this year; and 81 subscribers, representing a net gain of 13. The number of honorary members is four, including two elected by the Council today. The greatest fluctuation naturally occurs in individual memberships. The stability of the lists of institutional members and of subscribers suggests the desirability of following up opportunities which may be expected to multiply from the in-

vestigations of the Committee on Institutional Archives. The report of the Membership Committee recommends a special effort next year "to enroll state institutions, business archivists, and county records officers among other groups and . . . to re-enlist persons who once have been members but have resigned. . . ." The proposals regarding foreign memberships have already been outlined.

At this point I want to place on record an expression of keen regret on behalf of the Society because of the death of two of our members and two former members—all widely known and associated with our organization from its earlier years. Alexander J. Wall, most of whose mature life was spent with the New-York Historical Society, passed away on April 15 of this year. Christopher B. Coleman, who died on June 25, was archivist, librarian, and historian for more than a score of years in the Indiana State Library and Historical Bureau. Edward J. Hughes, secretary of state of Illinois, whose death occurred on June 28, was also state librarian and a loyal supporter of the present Illinois state archives program. Douglas C. McMurtrie and early American imprints became virtual synonyms during the past decade. He died on September 29, with distinguished achievements in bibliography and history of printing. Was it his avocation which produced *Wings for Words* for the enjoyment of child and adult alike?

In closing this report I pass on to you the forethought of our News Notes editor that the Society of American Archivists will be ten years old in 1946. Would it not be fitting to commission someone to prepare a historical sketch of this first decade so that it might be presented shortly after the close of the period? If this task should be undertaken, we shall need to make a survey of our own archives and try to secure some from "field offices" which have long since ceased to function. It is my hope that this latter suggestion may embarrass some such ex-custodians here into action. In a final word of thanks to the officers and other members of the Society for their co-operation in the work of the year, I want to express a special word of appreciation to Miss Norton and to observe that this is the first time the secretary of our Society has had the privilege of making this acknowledgement to *Madame* President.

Respectfully submitted,

LESTER J. CAPPON, *Secretary*

Minutes of the Business Meeting, November 8, 1944

The Society convened in its annual business meeting in the Assembly Room of the Penn-Harris Hotel, Harrisburg, Pennsylvania, at 10 P.M., November 8, 1944, approximately sixty members attending.

The minutes of the previous business meeting were approved. The reports of the secretary, the treasurer, and the auditing committee were read and approved.

Voted, to adopt the proposed amendment to Section 6 of the constitution as approved by the Council and submitted to the members thirty days in advance of the present meeting. Section 6: "The dues of individual members shall be five dollars a year; of institutional members, ten dollars a year. Individual members may become life members, exempt from further dues, by payment of a fee of one hundred dollars," to be amended by adding "minus a credit of two dollars for each year's dues already paid as an individual member."

On recommendation of the Council that an amendment to the constitution be drafted to provide for foreign memberships in the Society, as proposed jointly by the Membership Committee and the Committee on International Relations in their reports, and that in the meantime the Society encourage such individual memberships at \$1.50 by supplying \$3.50 to make a total of \$5.00, voted, that the Society authorize the Council to appropriate the sum of \$100.00 for 1945 to be used to stimulate foreign memberships.

Voted, to approve the report of the resolutions committee, read by its chairman Helene H. Rogers, as follows:

Whereas the Committee on Program, Howard H. Peckham, chairman, has planned a schedule of stimulating sessions for the eighth annual conference of the Society of American Archivists, and

Whereas the Pennsylvania Committee on Local Arrangements, S. K. Stevens, chairman, has provided so adequately for our convenience and enjoyment during our sojourn in Harrisburg,

Resolved, that the Society hereby extends to the management of the Penn-Harris Hotel and to the members of the above named committees our grateful appreciation.

The Society of American Archivists having sustained a severe loss during the past year by the death of the following members and friends—Christopher B. Coleman, secretary of the Indiana State Historical Society and director of the Indiana Historical Bureau;

Hubert Hall, professor of history, University of London, friend and adviser to American students studying abroad;

Edward J. Hughes, secretary of state and state librarian of Illinois;

Douglas C. McMurtrie, director of the American imprints bibliography;

Alexander J. Wall, director of the New-York Historical Society;

Resolved, that we record grateful appreciation of their contribution to the fellowship and work of this Society and of their untiring endeavors in the preservation of and research in historical and archival records.

Resolved, that we extend the sympathy of the Society to their respective families and that a copy of these resolutions be sent to the families.

Resolved, that we extend our deep sympathy to Mr. James F. Kenney,

Dominion of Canada Archives, in the loss he has sustained by the death of Mrs. Kenney, whose charming personality will long be remembered by members of the Society.

Resolved, that we express our sincere sympathy to Mr. Victor Hugo Paltsits, honorary member of the Society, on the occasion of his recent bereavement, the death of Mrs. Paltsits, who was the friend of many of our members.

Resolved, that the Society of American Archivists urges public officials, business firms, and private individuals to co-operate with the patriotic waste paper salvage campaign and believes that this effort will bring to light many now abandoned records of historical and other research value. The Society strongly recommends that persons who have correspondence, account books, diaries, photographs, and other files will consult their local or state archival or historical authorities so that valuable records may be saved and the remainder turned in to the paper salvage drive.

Voted, to instruct the Council to handle acceptance of an invitation for a place to hold the ninth annual meeting, by mail ballot.

Mr. Harlow Lindley read a letter of greeting to the Society from Mr. Victor H. Paltsits, honorary member.

The report of the nominating committee was read by Mr. Lindley who presented the following slate: for president, Margaret C. Norton; for vice-president, Christopher Crittenden; for secretary, Lester J. Cappon; for treasurer, Helen L. Chatfield; for council member for a term of five years ending in 1949, Howard H. Peckham. There being no nominations from the floor, voted, that the secretary cast a unanimous ballot in favor of the above nominees.

The remaining council members continue to hold office for the following periods: Morris L. Radoff, one year ending in 1945; Herbert A. Kellar, two years ending in 1946; Philip C. Brooks, three years ending in 1947; Solon J. Buck, four years ending in 1948.

The meeting adjourned at 10:45 P.M.

LESTER J. CAPPON, *Secretary*

Minutes of the Council, November 8, 1944

The Council met at the Penn-Harris Hotel, Harrisburg, Pennsylvania, at 4:45 P.M., November 8, 1944, the president, secretary, treasurer, and Philip C. Brooks, Herbert A. Kellar, and Morris L. Radoff attending.

The following qualified applicants were elected to membership in the Society: Rev. William J. Gauche, Armando di Girolamo, Sidney Goldmann, W. Edwin Hemphill, Mrs. Robert Newton Krebs, Karl Kretzmann, Dorothy F. Lucas, Wade O. Martin, Jr., Franklin M. Morgan, Thomas F. O'Con-

nor, Henry Lyttleton Savage, Lewis H. Thomas, Wilbur K. Thomas, William J. Van Schreeven, and William J. Wilson; the Church Historical Society, Philadelphia; College of Charleston Library, Charleston, S.C.; and Department of Archives, Louisiana State University, Baton Rouge.

The Council discussed the possibilities of giving encouragement to local records officers in improving their service in the preservation and care of records and of the opportunity, by so doing, of interesting such officers in membership in the Society.

Voted, to refer to the committee on local records the suggestions that local records officers might be encouraged to improve their service through a manual prepared for this purpose; through contacts made with them by their state archivists; through the aid of a group of archivists prepared, on call, to make a survey of local conditions and problems in a particular county or other local subdivision; by carrying a section on local records in *THE AMERICAN ARCHIVIST*; and by co-operation with the National Association of County Officials and with the National Finance Officers Association.

The encouragement of foreign memberships was discussed with reference to the joint proposal of the Committee on Membership and the Committee on International Relations in their reports (see below, pp. 82-83). Mr. Brooks pointed out the interest of the American Council of Learned Societies in foreign archivists and of the Allied Control Commission in Italy and other occupied territory in working with native archivists of those countries. It was suggested that the Society might offer membership to foreign archivists at \$1.50 and appropriate the balance of \$3.50 on the regular \$5.00 membership dues during the year 1945 until the constitution could be amended to provide for foreign memberships.

Voted, that an amendment to the constitution be drafted to provide for foreign memberships, as proposed jointly by the Membership Committee and the Committee on International Relations in their reports, and that the following motion be proposed at the annual business meeting: That the Society authorize the Council to appropriate the sum of \$100.00 for 1945 to be used to stimulate foreign memberships.

Voted, that the president of the Society be requested to communicate with the proper officials in the Department of State to offer the co-operation of the Society in acquainting foreign visitors interested in archival problems with the activities of archival agencies in the United States.

Voted, to elect to honorary membership in the Society the following persons: Joaquín Llaverías y Martínez, director of the National Archives of Cuba and historian, and Hilary Jenkinson, secretary and principal assistant keeper of the British Public Records and honorary secretary of

the British Records Association; and to instruct the secretary to notify these persons of their election.

The secretary read the letter of notification of the American Documentation Institute that the Society of American Archivists should elect a member to represent the Society in the institute, to succeed Mr. Vernon D. Tate. Mr. Tate and Mr. Oliver W. Holmes were nominated.

Voted, to re-elect Mr. Tate to represent the Society in the American Documentation Institute for a term of three years or until the annual meeting of the year 1948.

Voted, to authorize the secretary to order one hundred reprint copies of the "Writings on Archives and Manuscripts, July, 1943-June, 1944," by Karl L. Trever and Mary Jane Christopher, printed in the October, 1944, issue of THE AMERICAN ARCHIVIST, to be offered for sale at twenty-five cents per copy.

Discussion on the advisability of the Society's taking action on behalf of salvage of historical and archival records in danger of destruction in the waste paper campaign led to a recommendation that a Committee on Salvage of Records be appointed and that a resolution be proposed to the business meeting for passage, to be directed to public officials in states and counties, to directors of the waste paper campaign, and to the public generally.

The meeting adjourned at 6:45 P.M.

LESTER J. CAPPON, *Secretary*

Minutes of the Council, November 9, 1944

The Council met at the Penn-Harris Hotel, Harrisburg, Pennsylvania, at 9 A.M., November 9, 1944, the president, vice-president, secretary, treasurer, and Philip C. Brooks, Herbert A. Kellar, Howard H. Peckham, and Morris L. Radoff attending.

Voted, to appoint Leon deValinger, Jr., as a member of the Editorial Board for a term of four years ending in 1948.

The secretary, on occasion of a recent proposal of a historical society to exchange publications with the Society of American Archivists, presented to the council a list of present exchanges, which includes organizations eligible for institutional membership in the Society, and raised the question of what the policy of exchanges should be. The council advised that proposals for new exchanges be referred to the editor and

Voted, that the Council instruct the secretary to recommend to the editor that as a general rule the Society not accept exchanges of THE AMERICAN ARCHIVIST with individuals or institutions that are eligible for membership.

Miss Bertha E. Josephson, on invitation of the Council, joined the meeting to present her plan for internships for archives, libraries, and historical depositories and to ask for the support of the Society in adopting the plan and putting it into practice. The Council decided to postpone action until the plan was set forth in detail and discussed at the evening joint session of the Society with the American Association for State and Local History, and to meet in special session after this joint meeting.

The proposed budget for 1945 was presented, discussed, amended, and approved.

As a result of discussion of certain items of income and expenditure in relation to the annual meeting and to publication costs,

Voted, that the secretary negotiate with committee on local arrangements to sell space to exhibitors at the annual meeting.

Voted, that the Council expresses its approval to the editor of THE AMERICAN ARCHIVIST for the success of the experiment of sending out reprints and recommends that this practice be continued; and that the Council further recommends that these reprints be sold at cost to authors who order them in advance of publication.

The meeting adjourned at 10:20 A.M.

LESTER J. CAPPON, *Secretary*.

Minutes of the Council, November 9, 1944

The Council reconvened at 10:45 P.M., the same members in attendance as at the previous session.

On invitation of the Council, Mr. Leon deValinger, Jr., appeared at the meeting to present a proposal of his Committee on Publication Policies of Archival Agencies that it co-operate with the American Association for State and Local History through a joint committee to prepare a manual on form and style as a guide to the preparation of state and local histories of the second World War which, it is anticipated, will be produced in large numbers after the war. Mr. deValinger submitted a letter from Mr. Luther H. Evans stating that Mr. Waldo G. Leland had expressed the interest of the American Council of Learned Societies in this project and had suggested that such a joint committee should be represented on the recently created Council on War History, of which Mr. Guy Stanton Ford is chairman.

Voted, that the Committee on Publication Policies of Archival Agencies be designated *pro tempore* the Society's representation on the proposed joint committee with the American Association for State and Local History, for the preparation of a war history manual.

The Council, having discussed the proposal for archival and historical internships in the light of the session on this subject held just previously,

Voted, that the president appoint persons to a joint committee with the American Association for State and Local History to study the idea of archival and historical internships and to report back to the Council.

In view of the fact that the Society's only life member, Lieutenant Colonel Handy B. Fant, transferred from annual to life membership during the past year, the secretary recommended that the amendment to Section 6 of the constitution adopted at the last annual business meeting of the Society be made retroactive in his case.

Voted, that Section 6 of the constitution as recently amended to provide for transfer from individual annual membership to life membership be made retroactive in the case of Lieutenant Colonel Handy B. Fant, that he be credited with two dollars for each year's dues paid before he became a life member, and be refunded the total amount.

On recommendation of the secretary as suggested by the News Notes editor,

Voted, that after consultation by the president and the secretary, some person be commissioned to write a history of the first decade of the Society and present it on the tenth anniversary meeting of the Society.

Voted, that the secretary be instructed to canvass the members of the Society immediately in regard to a place for the ninth annual meeting.

On recommendation of Mr. Brooks,

Resolved, that the Council of the Society of American Archivists extends its greetings to Major Wayne C. Grover, Captain William D. McCain, Mr. Fred W. Shipman, and Captain Asa M. Thornton, and other archival advisers to the Armies in occupied areas, and expresses its deep appreciation of the importance of their work in promoting the care and preservation of cultural treasures.

The meeting adjourned at 12:15 A.M.

LESTER J. CAPPON, *Secretary*

Financial Statement

December 31, 1942, to December 31, 1943

Balance on hand, December 31, 1942\$1,505.61

Income:

New memberships\$ 435.10

Renewals of membership 1,235.00

THE AMERICAN ARCHIVIST:

Subscriptions 385.00

Sale of back issues 163.75

Seventh annual meeting 460.90

Income for the calendar year, 1943\$2,679.75

Less two returned checks 10.00

Net income\$2,669.75

Total to be accounted for\$4,175.36

Disbursements:

Secretary's office\$ 230.29

Treasurer's office 100.00

Publication fund 1,224.52

Committee on Membership 86.09

Committee on Business Archives 6.30

Program Committee 40.21

Annual meeting 406.10

Disbursements for the calendar year, 1943\$2,093.51

Balance per books, December 31, 1943\$2,081.85

Add outstanding checks 654.07

Balance per Tradesmen's National Bank, December 31, 1943 ..\$2,735.92

THE AMERICAN ARCHIVIST

Budget for the Calendar Year 1945

	General	Publications	Total
Balance, December 31, 1942	\$ 352.20	\$1,153.41	\$1,505.61
Income, 1943	1,120.00 ¹	1,549.75	2,669.75
Total assets, 1943	1,472.20	2,703.16	4,175.36
Expenses, 1943	868.99	1,224.52	2,093.51
Balance, December 31, 1943	603.21	1,478.64	2,081.85
Estimated income, 1944	700.00	1,300.00	2,000.00
Total assets, 1944	1,303.21	2,778.64	4,081.85
Estimated expenses, 1944:			
Publications (\$1,200) ²		1,350.00 ³	
Secretary's office (\$250)	250.00		
Treasurer's office (\$100)	100.00		
Committees (\$150)	125.00		
Annual meeting (\$100)	100.00		
Total estimated expenses, 1944	575.00	1,350.00	1,925.00
Estimated balance, December 31,			
1944	728.21	1,428.64	2,156.85
Estimated income, 1945	650.00	1,250.00	1,900.00
Estimated assets, 1945	1,378.21	2,678.64	4,056.85
Proposed budget, 1945			
Publications (\$1,200) ²		1,350.00	
Secretary's office (\$250)	250.00		
Treasurer's office (\$100)	100.00		
Committees (\$150)	250.00 ⁴		
Annual meeting (\$100)	100.00		
Total proposed budget, 1945	700.00	1,350.00	1,950.00
Estimated balance, December 31, 1945 .	\$ 678.21	\$1,328.64	\$2,006.85

Approved by the Council, November 9, 1944

LESTER J. CAPPON, *Secretary*¹ Includes receipts for luncheons and dinners at annual meeting.² Budget figures for 1944 are shown in parenthesis for purposes of comparison.³ Increased cost of publication of THE AMERICAN ARCHIVIST.⁴ Including \$100 to stimulate foreign memberships.

Report of the Committee on Writings on Archives and Manuscripts

The second annual list of Writings on Archives and Manuscripts compiled by Karl L. Trever and Mary Jane Christopher, under the supervision of the Committee on Archives and Manuscripts, was forwarded to the editor of *THE AMERICAN ARCHIVIST* for publication in the October issue on September 23, 1944. This list, covering the period July, 1943-June, 1944, included 261 entries, about thirty more than are found in the first annual list (see *THE AMERICAN ARCHIVIST*, October, 1943, pp. 273-288). Although it is not possible to state whether or not this increase in the number of entries represents an actual increase in the number of books and articles written in the field during the year, it seems quite clear that archivists and custodians of manuscripts have a right to feel proud of that contribution they have made to the literature of their field under war-time difficulties. Certainly the future of publication in our field looks bright, and the post-war era undoubtedly will see considerable growth in the size and volume of the annual list of writings.

No meetings of the whole committee were held during the year, but the Washington members were able to meet with the compilers on June 22, 1944, to discuss some suggested changes involved in the compilation of the forthcoming list. Agreement was reached on all points, and a letter indicating the nature of the changes proposed was sent by the chairman to all members of the committee. On approval of the committee, these changes were incorporated in the 1943-1944 list, and it is believed that the compilation has been considerably strengthened as a result. Members of the Society of American Archivists are urged to forward their comments, suggestions and criticisms concerning the 1943-1944 list to the compilers at the National Archives. The committee will be pleased to consider all ideas received before the compilation of another list is undertaken.

The committee has not forgotten that it is charged by the Council with the duty of getting out a select list of writings on archives and manuscripts published prior to June 30, 1942. Although most of the titles to be included in such a basic compilation have already been selected, and some classification of them has been done, the demands upon the time of the compilers have prevented completion of the project this year. There is every reason to anticipate the issuance of this bibliography before the Society's convention in 1945.

KARL L. TREVER, *Chairman*

Report of the Committee on Archival Buildings

The Committee on Archival Buildings of the Society of American Archivists was established on July 17, 1943, when the chairman accepted the appointment of Dr. R. D. W. Connor, the president of the Society. After the seventh annual meeting of the Society in Princeton, New Jersey, November 15 and 16, 1943, the newly elected president, Margaret C. Norton, reappointed the chairman for the ensuing year. Besides the writer, the original members of the committee included Miss Norton, Dr. Ernst Posner, William J. Van Schreeven, and Leon deValinger, Jr., all of whom joined the committee in the last half of 1943. After her election to the presidency Miss Norton withdrew, and at the end of the year Dr. Posner relinquished his place due to the press of duties on other committees of the Society as well as his professional work.

For assistance rendered to the committee, particularly as regards publication, the chairman desires to express the deepest appreciation to the archivist of the United States, Solon J. Buck, and to Mrs. Elizabeth Hamer and Florence Nichol. For other forms of aid rendered thanks are due to Leon deValinger, Jr., Oliver W. Holmes, and Karl L.

Trever, as well as to the several dozen archival correspondents in the country at large who promptly and courteously answered inquiries as to the status of their programs.

The committee inaugurated a projected continuing service of compiling and publishing the latest information of plans and programs for archival structures in the several states. With some notable exceptions, replies from the states were far from indicating a flourishing condition with respect to post-war archival plans.

In Alabama, Mrs. Marie B. Owen, the director, reported the expenses were so heavy in connection with the erection of the World War Memorial building, which houses the Department of Archives and History, that the stack space from the basement to the roof of the building could not be completed. The post-war planning board anticipates the completion of this job, modernly equipped, as amongst the first of the post-war projects. In addition, wings were planned on the east and west side of the building, but the completion of these at an early date is doubtful.

At the request of the State Post-War Planning Commission of Connecticut, State Librarian James Brewster submitted a proposal for the construction of a wing to the present State Library building with a view to housing the archives. The size of the wing is to be about 106 feet long by 84 feet wide, and seven stack floors high. The construction is to conform to the latest practice with reference to fireproof vaults and sub-basements, and the building is to be equipped with the most modern facilities and with photographic laboratories. The proposed expenditure would total approximately one and a half million dollars.

In Colorado the offices of the state archivist have been recently remodeled and, in addition, architectural plans have been completed for new record and storage vaults in the State Museum building. The plans and specifications were prepared by Architect H. W. J. Edbrooke of Denver, Colorado. The plans were reviewed by Mrs. Adelaide Minogue of the staff of the National Archives, and by your committee chairman, with a view to suggesting possible modifications to State Archivist Herbert O. Brayer. The fire-resistant vaults will be built in the sub-basement of the State Museum building and will occupy two floors, each with about 1600 square feet of gross area, or a total of 3200 square feet. The gross content will be about 32,000 cubic feet. The walls of the vaults consist of 13-inch brick with an inside lining of 4-inch *Natco* structural glazed tile, making an overall thickness of 17 inches. All structural steel work is fireproofed with concrete, and the floor slabs are of 7-inch thick reinforced concrete. There is only one exterior opening to the vaults on each floor, and these are protected against fire by rolling steel doors as well as fire-resistant vault doors, which are connected to wall or ceiling by fusible links so doors will close automatically in case of fire. A fire signal system is to be installed as well as the usual chemical extinguishers. The archival equipment includes an all-steel fumigating chamber of about 180 cubic feet capacity, which appears larger than necessary for a small plant, and the delousing will be accomplished with vacuum fumigation, using a mixture of ethylene oxide gas and carbon dioxide gas. Next to the chamber is a small fumigating machine room. There is no natural light. Artificial lighting is provided by fluorescent lighting fixtures in 3-lamp, 40 watt, continuous strip units. In addition, provision is made for a cleaning hood, film cases, cabinets, transfer shelves, bookcases, work tables, stacks, incinerator, and other usual equipment.

Although the Maine legislature authorized the construction of a new State Library building, or a wing addition to the existing structure, no actual appropriation has been made. Post-war plans are therefore still in abeyance.

In Nebraska the legislature voted a levy to raise funds for a historical society building, but it will take time before the requisite funds accumulate. Governor Dwight Griswold

has intimated, however, that this project will be one of those pressed in the near future. The Executive Board of the Nebraska State Historical Society is organizing the prosecution of the projected work. No definite details are available at this time.

The archival projects contemplated for New York as well as Vermont were reported by the chairman in the July, 1944, number of *THE AMERICAN ARCHIVIST*. Henry H. Eddy is serving as a records surveyor and consultant for both states for the purpose of establishing the actual amount of space required. Prior to the present space survey, tentative sketches were drawn for the New York project which was estimated to cost one million dollars, but preliminary plans have been held in abeyance pending detailed knowledge as to the nature and size of the problem. Dr. Albert B. Corey, the director, is proceeding with the accumulation of facts and figures.

From Ohio's Harlow Lindley comes the plaintive report that "it is impossible to give you any information which would be of value in a report of the Committee on Archival Buildings since we have no buildings, no vaults, and no equipment. . . . We hope something will be done at the next State General Assembly which meets in 1945."

The chairman attended the annual meeting of the Pennsylvania Federation of Historical Societies in Harrisburg, May 20, 1944, and participated in the passing of a resolution requesting the Post-War Planning Commission and the legislature to approve plans for the construction of an archives building on a scale commensurate with the dignity and importance of the commonwealth of Pennsylvania. Since that time the superintendent of public instruction, Dr. Francis B. Haas, has recommended that the commission allocate one million dollars for a Pennsylvania archives building. Dr. Arthur C. Bining of the University of Pennsylvania is now heading a Committee on Archives and History, which is functioning as a post-war planning group under the State Council of Education. The chairman also visited Dr. Bining in Philadelphia and discussed the project with him.

Vermont is actively engaged in pressing plans for erecting an archives addition to its present building which houses the historical activities of the state. Lieutenant W. W. Freeman, USNR, an architect whose firm was retained by the Vermont authorities for the preparation of studies of the proposed annex, had several conferences with the chairman and requested the committee to furnish data on some existing modern archival structures, as well as data on all available literature on the subject of vaults and requirements for archives in general. Mr. Henry H. Eddy, retained as consultant for the Vermont project was also provided with data relating to stack equipment sizes and capacities.

The collection of photostatic prints assembled by the committee, and housed in the National Archives, was inspected by various visitors interested in the subject, and calls were received from Hawaii and foreign archives for reproductions of modern plans and specifications and attendant data.

Director Edward P. Alexander reports that in Wisconsin, post-war building plans called for an addition to the existing building of the State Historical Society, which is presently shared by the University Library. The nature of the problem has completely changed direction because of the probability that the legislature will provide for a separate building for the library. Such a development will greatly increase the space available for the state archives in the present structure, and will lead to an enlivened program for accessioning the noncurrent records of the state departments, although some modernization of facilities will be in order in any event.

Among the less fortunate states which definitely report that they have no archival building plans, programs, or fancies afoot at this time are the following, Arizona, California, Delaware, Georgia, Massachusetts, New Hampshire, New Jersey, South Carolina,

South Dakota, West Virginia, and Wyoming. Other commonwealths were not heard from at the time of going to press. Delaware, of course, has a new modern plant, and it is known that Michigan and Washington are actively pushing plans for modern archives buildings.

The chairman of the committee undertook to review all significant published material on archival structures and, in pursuance of this policy, three state publications were reviewed in the July, 1944, number of THE AMERICAN ARCHIVIST, namely the projects planned for Vermont, New York State, and Michigan.

The sole publication for the year was the editing and issuance of the three papers relating to archival buildings and equipment, read at the seventh annual meeting of the Society of American Archivists in Princeton, November 15, 1943. These papers by the two committee members and Mr. Louis Simon, were enabled to receive national distribution through the courtesy of the National Archives. They were printed at the Government Printing Office, and issued as National Archives *Bulletin* No. 6, *Buildings and Equipment for Archives*.

The *Bulletin* was nationally distributed to libraries, archival establishments, universities, technical publications, and private individuals interested in the field. Favorable mentions and reviews were received in various publications including the *Weekly Bulletin* of the Michigan Society of Architects, *The Catholic Historical Review*, and the *Journal* of the American Institute of Architects, and others. It is, no doubt, the first booklet of its kind published in America.

VICTOR GONDOS, A.I.A., *Chairman*

Report of the Committee on Institutional Archives

Realizing that in the short time available and the limited means of investigation only a sample and exploratory survey could be made, the committee considered only a selected group from each of the following types: business organizations, including corporations, trade associations, and chambers of commerce; religious, under the general heads of Catholic and Protestant; educational institutions, comprising colleges and universities; patriotic societies, hereditary and a few others; labor organizations, and fraternal societies. Along with the questionnaire devised by the committee a brief definition of archives from the *Manual* of Muller, Feith, and Fruin, and a letter were sent to each institution circularized.

The questionnaire called for the name and address of the organization, the name and title of officer in charge of the archives or files, what access could be had to the materials by qualified researchers, a brief history of the organization, housing, extent of holdings, discard policy, organization of the records, indexes, catalogues in existence, publication of documents, and possibility of the deposit of older records not ordinarily preserved in a research library.

The ratio of replies to the number of organizations circularized varied from fifteen to fifty per cent. Because the institutions selected were judged representative, in spite of the small return in some instances, the survey as a preliminary exploration might be considered successful. Unfortunately the data on patriotic societies are not available for inclusion in this report.

Some general observations based on a study of replies may be offered. The most apparent and expected revelation was lack of understanding of what archives are, and the difference between them and historical manuscripts. The Society of American Archivists has a large task ahead of it in educating non-governmental organizations in the nature and preservation of archives, if, of course, it wishes to broaden its sphere of professional

activity. One reason for such extension of interest was apparent in increasing opportunities for the employment of archivists in these fields. There is much to be done, as Dr. Gates, for example, observes in connection with educational institutions, "Rarely is there evidence of a systematic policy with reference to the transfer of records from administrative offices to the archives." The questions of proprietary interest in letters of administrative officers, and of proper custody of official records also indicate a need for enlightened policy.

Some highlights of the survey may be briefly indicated. Freedom of access to records by qualified research workers is surprisingly general, although most corporations and some churches place limits on the date and type of records which may be consulted. The custodians of records for the Catholic church are often the chancellor of the diocese or his associates; for colleges and universities, a curator under the librarian or director is in charge of some documents, but there is wide divergence in control of administrative departmental records; in corporations, files of important papers are sometimes in the care of archivists, but more often are controlled by the secretary, legal department, or officer of the division; in labor unions the secretary, treasurer, or local officeholders are in charge; and in fraternal societies, the supreme secretaries.

Housing is accordingly varied: for convenience of officers in the case of records of occasional reference, and in vaults or storage quarters for noncurrent papers. Where church archives, for example, and university archives are preserved in some part of the library, there is apt to be more care given them than if they are stored in a basement or other such quarters as are available.

Although some irregularities are apparent, due to lack of continuous policy, discarding is usually not practiced in religious institutions. The Catholic church, since 1918, has had a Code of Canon Law governing procedure. In educational organizations no policies have been formulated, but the University of Washington follows state government practice. Business houses have varying periods for keeping records: some limit the types to accounting, board minutes, correspondence, and essential summary records that are kept indefinitely; some base the period on the statute of limitations; one mentions the use of microfilm as a substitute. Fraternal societies discard after three to ten years; labor organizations do not indicate a definite policy.

The organization of archives follows the general policy of treatment in custody and housing. Considerable regional and administrative variation seem to govern the nature and degree of organization of Catholic archives. The best example of current practice is in the archdiocese of Boston. Catholic colleges and seminaries likewise having older records, such as Notre Dame, are developing schemes. Archives of communities of religious persons, rich in historical data, such as those of the Jesuit provinces, and the Paulist Fathers, are being organized. Almost all Protestant archives are organized, the usual pattern being by subject or title of the court, and chronologically. In educational institutions, where materials are turned over to libraries, they are well organized by curators, but the state of what is in dead storage and not transferred is not indicated. Corporate and trade association practice, in the case of noncurrent records, seems to be storage in warehouses, or other available space, without much consideration for convenience of access or of consultation. Inventory records in more or less detail are sometimes made. Fraternal records are kept chronologically, and in one case, by local council. Union archives are arranged by date, but in the case of agreements, sometimes by subject, and by locals, by year.

Very few indexes or guides to Catholic archives have been published, but where an archivist is in charge, adequate guides exist. For Protestant churches catalogues or indexes have been published for the Moravian church, Southern Province (1942),

Presbyterian church (1915, 1943), United Lutheran church, Historical Society (1885), with manuscript guides available in most cases. Educational institutions report card catalogues, calendars, and a few printed catalogues. Fraternal societies and labor unions report no indexes or catalogues published or in manuscript. A similar lack of publications of documents also is general. Except for excerpts in histories, or proceedings, few items have been made public. The notable exception is the minutes of ecclesiastical courts of Protestant churches.

As some of the churches have historical divisions, archives have been transferred to them. In the case of Catholic archives, the early records of the archdioceses of Detroit, Cincinnati, and New Orleans, and the dioceses of Vincennes and Hartford are kept in the University Archives of the University of Notre Dame, as those of the diocese of Rochester are in St. Bernard's Seminary in that city. Similarly Protestant archives are sometimes in seminaries, and sometimes in historical societies, as the Presbyterian, Lutheran, Reformed, and Baptist. Corporate records have been transferred, in some cases to historical societies, to state libraries; in other cases, to universities. Fraternal societies likewise have transferred materials, as the Polish Roman Catholic Union of America, to the Archives and Museum organized by the union in 1935, and the National Grand Lodge of the International Order of Good Templars, materials to the New York Public Library. A few unions express qualified interest in the idea of transfer.

Mention was made at the beginning of this report of the large educational task that challenges archivists. Some organizations have expressed interest in and intent to do something about preserving and putting archives in order. Such leads should be followed up by the Society and efforts made to suggest qualified individuals. More technical literature on archival practice and procedure in non-governmental organizations is needed. More archivists with proper subject background are in demand. Archivists must educate leaders in the various types of organizations in the meaning and importance of archives. There is interest, and there are archival materials. If the Society meets these institutions half way, its advice and help will be welcomed. At the same time, practices and policies that have been worked out by some of the organizations may suggest improvements in the treatment of government archives.

The committee recommends continuance of its work, follow-up of instances where interest is expressed, establishment of closer contact with societies interested in the preservation of historical materials in the various fields represented, and study of the possibility of training experts or consultants to aid institutions in organizing and conserving their archives.

WALTER HAUSDORFER, *Chairman*

Report of the Committee on International Relations

Proposals, rather than accomplishments, again mark the end of a year's work of the international relations committee. Last year the committee called attention to the desirability of securing a wider circulation abroad for THE AMERICAN ARCHIVIST and at the same time called attention to the necessity for establishing a realistic membership fee for foreigners that would take into account the frequent fluctuations of foreign exchange and the generally lower salaries abroad. This committee is pleased to announce its agreement with suggestions of the chairman of the membership committee that this problem be met by proposals to the Council for the creation of the following types of foreign memberships:

1. *Corresponding Members*—made up of the principal or leading archivists of foreign countries, to be designated by the Society. No membership fee.

2. *Regular Foreign Members*—open to any interested individual, resident abroad, upon the payment of the annual membership fee of, say, one dollar or one dollar and fifty cents.

3. *Foreign Institutional Members*—open to archives, libraries and other agencies abroad, on the payment of an annual fee fixed at not more than about three dollars.

This committee is in hearty agreement with the suggestion made by a member of the committee on honorary members, and other members of the Society, that the names of the following foreign archivists be proposed to the Council for honorary membership—the veteran head of the Cuban archives, Captain Joaquín Llaverías, and our eminent English colleague, Mr. Hilary Jenkinson. Captain Llaverías, in securing a new building to house the collection over which he has presided for several decades, has at last realized an old hope. The new National Archives building of Cuba was dedicated and opened to the public in impressive ceremonies a few weeks ago, which were attended by delegates from many adjacent countries. It seems very fitting that the Society should also so honor Mr. Jenkinson, for his advancement of archival science by precept and publication.

For the use of the Society, this committee has been working on a list of foreign archivists. Suggestions for enlarging the list would be very welcome.

Through the generous interestedness of Miss Marian Forero, of the staff of the Pan American Union Library, work is going forward on translations of two publications of the National Archives into Spanish. Some thought has also been given to the preparation and translation of a leaflet on the aims and objectives of the Society for foreign readers. The committee hopes thus to stimulate greater interest abroad in the work of the Society.

GASTON LITTON, *Chairman*

Report of the Committee on Membership

In the first five years of the Society's existence it was taken for granted that the membership would always fall in a highly restricted field and that a total individual and institutional membership of about three hundred was really as much as could be expected. When the war came the curtailment of peace-time activities and the departure of many members into military service or war jobs actually reduced our membership. Since 1941, however, it has been possible to increase the membership slightly each year and since the last annual meeting we have slight gains in all categories. The membership committee has endeavored to broaden the scope of its campaigns and by careful selection of prospects to achieve a higher percentage of returns. Available time and other factors, however, have prevented the committee from engaging in anything like as aggressive work as had been hoped. Therefore it is reasonable to believe that the increases in membership are largely explained by a broadening of general interest in the selection, care, and utilization of archives and historical manuscripts. If this assumption is sound we should hope for even greater growth in post-war years.

Present enrollment figures as of Nov. 8, 1944, are 268 annual individual members as compared with 260 at the time of the annual meeting last year; 1 life member compared with none last year; 4 honorary members, double last year's figure; and 38 institutional members compared with 34 a year ago. There are 81 subscriptions to *THE AMERICAN ARCHIVIST* compared with 68 last year. There has not been an opportunity to make a detailed analysis like the one accompanying last year's membership committee report. It is evident that the largest turnover takes place among individuals. That is one reason why it is especially desirable to build up the number of institutional members. As compared with a year ago the classification of members into occupational

categories has not materially changed. There are a few welcome additions of technicians in the manuscript repair field. Our representation among business archivists still should be enlarged. Probably the greatest potentiality for gains in number is in the field of nonofficial historical manuscript collectors and custodians. As to geographical distribution there is no significant change. We are still concentrated more in the Middle Atlantic area than is desirable. I hope especially that the Far Western representation will be increased.

Letters have been sent to about 250 selected persons and institutions as prospective members. Their names were obtained from the other members of the committee, from the generous response of the members of the Society to requests for suggestions, from reference works such as the valuable *Handbook of Historical Societies* published by the AASLH, and from some surprising and unexpected sources. In membership work the most useful devices have been found to be personal letters to prospectives, enclosing a leaflet about the history and activities of the Society and a list of selected articles from THE AMERICAN ARCHIVIST. The quarterly journal is, of course, the most tangible thing we have to offer. Thus it helps the membership campaigns, but that should work both ways, for the increase of numbers and kinds of members should enhance our potentialities to produce good articles for publication.

Some years ago the Society took over the stock, more than three hundred copies, of the *Preservation of Local Archives*, a leaflet prepared by the Public Archives Commission of the American Historical Association in 1932. It is in a few respects out of date—this Society should have revised it. But it is a valuable publication, and we have tried to place the copies where they will be most useful. Notices of its availability have been issued by the Society, and this summer a notice appeared in the *American Historical Review*. As a result a small but rather steady flow of requests have come in. Perhaps a dozen copies have been distributed individually in the last few months, and 180 copies were sent to the new Division of State Archives of the Colorado State Historical Society. Every inquirer has been considered a prospective member and in fact practically every one has applied for membership after receiving information about the organization.

The committee has some typed copies of a list of state archival authorities compiled a year ago and is eager to keep it up-to-date for use in membership work. Archival authorities of about twenty-seven states are represented by memberships or subscriptions and all of them should be actually members. The committee is eager to keep the list up-to-date and will appreciate the receipt of information on changes in organization or personnel. Most of these are learned of through the News Note editor of THE AMERICAN ARCHIVIST.

Membership in foreign countries has, of course, been drastically reduced by the war. It is doubtful that much can be done about it until the restoration of free communications, except possibly in Canada and Latin America. There is considerable activity in Canada toward the establishment or expansion of provincial archives and inquiries already received indicate that we may be of some assistance to our good neighbors to the north. The chairmen of this committee and of the committee on international relations have collaborated in preparing a plan of enlisting the interest of the many capable archivists in Latin America, where we now have only two members.

It is hoped that in another year the membership committee can make a special effort to enroll state institutions, business archivists, and county records officers among other groups. A special drive to obtain subscriptions to THE AMERICAN ARCHIVIST from libraries would be profitable. As has been suggested, the membership committee is vitally interested in any possible means of broadening the field covered by material in THE AMERICAN ARCHIVIST and providing a larger stock of articles from which the editor can select, for obviously no other factor is so significant in membership work as the quality of the journal. The committee will appreciate suggestions as to ways and

means of increasing membership, both in order to enlarge the personal and financial resources of the Society and to extend its services to an ever increasing body of record conscious persons.

PHILIP C. BROOKS, *Chairman*

Report of the Committee on Publicity

The Committee on Publicity is a new committee of the Society. It was created after the 1943 annual meeting in response to a demand for a separate committee that could devote its entire attention to publicity for the Society. Mrs. Elizabeth E. Hamer of the National Archives was named chairman in May, 1944, and Mr. Sherrod E. East of the War Department, Washington, D.C., and Mr. Roger Thomas of the Maryland Hall of Records, Annapolis, were appointed members.

The purpose of the committee, as viewed by its chairman, is to furnish information that may be of use to actual and potential members of the Society and to publicize the Society in order to build up its membership and increase its stature as a professional organization.

Except for one meeting of the committee, held in Washington on October 28 for the purpose of mapping in detail the publicity for the annual meeting, the committee did not meet as a body during the year. The chairman conferred with committee members and officers of the Society by letter and all other activities of the committee were also handled by correspondence.

Obviously the work of the committee during its first year was experimental. There was no well-defined program but a few projects were undertaken and plans were made for others. To create good will for the Society among members and non-members, reviews that appeared in *THE AMERICAN ARCHIVIST* were clipped and sent with the compliments of the Society to the author of the publication reviewed and to the reviewer. Response to this practice insofar as appreciative replies were concerned was gratifying, but the writer has not had time to check with the chairman of the Committee on Membership or with the secretary to see whether non-member recipients of clippings were so moved that they rushed to join the Society. Sections of the News Notes not likely to come to the attention of those concerned were also clipped. For instance, the note about the appointment of a new director of the National Archives of Mexico was sent with a letter of felicitation. This and other letters to Spanish-speaking Latin-American countries were translated into Spanish by Gaston Litton of the National Archives. In the future when such appointments come to the attention of the Publicity Committee or of any member of the Society, it would be well to notify the president so that such letters of congratulations could come from the head of our organization.

Publicity about the sixteen-page bibliography, "Writings on Archives and Manuscripts, July, 1942-June, 1943," which was reprinted from *THE AMERICAN ARCHIVIST*, was handled by the committee. Letters were written and some review copies were sent to about twenty-five editors of historical and library publications giving them information about the availability of the reprint for twenty-five cents and asking them to print some notice of it in their journals.

Karl L. Trever, News Notes editor of *THE AMERICAN ARCHIVIST*, turned over to the Publicity Committee a list of archival authorities in the states as of May, 1944. This was revised as necessary and can be printed in *THE AMERICAN ARCHIVIST* if it is felt that there would be general interest in it.

The only records turned over to the present chairman when she took office consisted of some correspondence between the secretary and the president of Walter B. Snow and Staff, Inc., about an article on the Society for publication in *Weston's Record*. A partial

draft of such an article has been made by the chairman. It would be highly desirable to have a story about the Society in *Weston's Record* because it goes to about twelve thousand keepers of local records. It has been suggested to the committee that it also write a popular blurb on the Society, somewhat less sedate than our present leaflet, to be used as a hand-out. This might also be translated into Spanish for use in Latin America by the Committee on International Relations. Articles specially angled for certain groups could also be written and in the coming year the Publicity Committee should give attention to this.

Although final decision to hold the eighth annual meeting of the Society came too late to permit the publication of notices in professional journals, coverage of the meeting itself was for the first time in the history of the Society planned in advance and carried out with some success. Four press releases were written by the chairman. An advance story on the meeting was mailed to about seventy-five newspapers east of the Rockies; covering letters pointing out subjects or persons of local interest were sent with about half of these releases. Another advance story angled for the Pennsylvania, New York, New Jersey, and Delaware papers was given to about twenty-five editors. The other two releases sent from Washington were concerned with Dr. Halvdan Koht's speech on the fate of Norwegian archives in the war and Miss Margaret C. Norton's presidential address on "Some Legal Aspects of Archives." All these stories were used, as clippings from several papers showed, but how extensively the committee does not know.

The hero of the publicity committee is Roger Thomas. With no help from his fellow committee members but with generous assistance from Dr. S. K. Stevens and his staff, Mr. Thomas covered the Harrisburg front to the gratification of everybody except Mr. Thomas, who was left but little free time to enjoy the meeting. As a result of his industry, all the sessions were accurately reported in the Harrisburg papers and several stories were sent out over the wires of the various press associations.

After the meeting, the chairman of the publicity committee compiled news notes reporting upon the election of officers and the naming of two honorary members of the Society. These notes were sent to about thirty professional journals. It is hoped that such notes can be issued quarterly and the committee would welcome the receipt of information appropriate for them.

Some possibilities for the future work of this committee have already been indicated and a few more might be mentioned. The attention of business or trade periodicals might be called to articles in *THE AMERICAN ARCHIVIST* that they might wish to abstract or reprint. Herbert Brayer's paper, "I've Been Working on the Railroad," for instance, should be of great interest to some railroad journals. The committee should also take steps to see that the Society is listed in various handbooks or directories of technical or professional societies. Revision of the *Preservation of Local Archives*, prepared by the Public Archives Commission of the American Historical Association and published in 1932, would be highly desirable. It would not, of course, be the function of the publicity committee to undertake this, but the committee would have a definite interest in such a publication for it should be an effective public-relations document. If the Society hopes to make its influence felt, such a document should receive a wide, free distribution and with this the committee could help. If the Society cannot finance the publication, funds for the purpose might be obtained, for instance, through the American Council of Learned Societies.

In closing, a word should be said about the name of this committee. Americans are probably the most susceptible people in the world to publicity, but they don't like to have it so labeled. Their reaction to "publicity" is something like their reaction to "propaganda": they feel that there is something shady about it, that somebody is trying to put something over on them. Since there is already a Committee on Public Relations, which

has nothing to do with the relations of the Society to the public, it is proposed that a more politic name for this committee might be the Committee on Information. This name has at least two virtues: it avoids "publicity" and it implies a somewhat wider scope than "Committee on Publicity" does—a scope the committee should have if it is to render to the Society the most effective service possible.

ELIZABETH E. HAMER, *Chairman*

The joint luncheon conference of the Society of American Archivists and the American Historical Association scheduled for December 28, 1944, was called off by the Committee on Local Arrangements of the American Historical Association at Chicago because the Stevens Hotel considered the advance reservations insufficient to warrant setting up a dining room. This action was taken too late to make possible the reorganization of the meeting. However, it is hoped that the remarks of the three scheduled speakers can be published in the next number of *THE AMERICAN ARCHIVIST*.

THE NATIONAL ARCHIVES

The archivist of the United States has proposed that a building be constructed in the suburbs of Washington for the central housing of records of the federal government that are no longer needed in the offices which they have accumulated but that will have to be preserved, at least for a considerable period, for legal, administrative, or research uses. It is estimated that, in addition to the records now in the National Archives, there will be at least two million cubic feet of such records in existence at the end of the war, including the service records of all the men and women who will have served in the armed forces, and that less than one tenth of them could be housed in unoccupied space in the National Archives building. The proposed public records building would be a part of the National Archives establishment, but much of the space in it would be allocated to other agencies of the government for use by them in storing and servicing records that should remain in their custody for the time being.

Some interesting records have recently been added to the substantial body of scientific material in the National Archives. The Weather Bureau has transferred the records of Cleveland Abbe, professor of meteorology in the Weather Bureau from 1871 to 1916. They included Abbe's correspondence with leading geographers, astronomers, and meteorologists, 1863-1916; plans drawn for submission to the Cincinnati Chamber of Commerce for a weather service in that region, 1868; copies of weather maps he made in 1870—the first weather maps made in the United States; and his weather forecasts, 1871-1872. A small but significant body of records of Arnold Hague, for the period 1884-1916, have been transferred by the Geological Survey. They relate principally to the survey's explorations of the Yellowstone Park area, which were carried out under Hague's direction.

As a result of records administration programs in the War and Navy Departments for the transfer to the National Archives of all noncurrent records of enduring value, the National Archives has received in the last few months more than ten thousand cubic feet of records relating to military affairs. Included among the Navy Department records transferred are the general correspondence files of the Bureau of Aeronautics, 1930-1942, and records of the Hydrographic Office, 1854-1925. Records received from the War Department include noncurrent files, ranging in date from 1813 to 1942, from almost fifty army posts and organizations throughout the country.

A new illustrated *Circular*, No. 6, published by the National Archives, consists of a brief statement of the history and activities of the institution and a descriptive catalogue of the material displayed in its exhibition hall. Copies may be obtained from the assistant administrative secretary.

The National Archives Council on November 9, 1944, adopted a new resolution in lieu of its resolution of July 28, 1942, defining classes of material to be transferred to the National Archives and establishing regulations governing such transfers.

The new resolution differs from the resolution that it replaces in two respects. First, the archivist's power to requisition records of Class III is made subject to exception on a different basis than heretofore. The new definition of Class III reads as follows in comparison with the old definition:

(*New*) Any archives or records of any Federal agency that has gone out of existence unless the head of the agency that has the custody of them certifies in writing to the archivist that they must be retained in his custody for use in performing transferred functions of the discontinued agency or in liquidating its affairs.

(*Old*) Any archives or records of any Federal agency that has gone out of existence unless its functions have been transferred to the agency that has the custody of the records.

Second, a proviso has been added at the end of the resolution in order to empower the archivist to assume control without any formality of government records found not to be in the legal custody of any other government agency.

THE FRANKLIN D. ROOSEVELT LIBRARY

Presidential papers received recently at the Franklin D. Roosevelt Library consist chiefly of sections of the White House files relating to the Casablanca Conference of January, 1943, and the President's Hawaiian Islands-Alaska trip of July-August, 1944. The Casablanca Conference is represented by White House personnel rosters and expense accounts; itineraries and maps; ship and station "newspapers"; radio press bulletins; aircraft crew rosters, flight records, and positions reports; correspondence (chiefly messages to and from the President and the military and naval personnel in charge of

arrangements); security orders; state department aide-mémoire on conference business; press releases and press conference reports; and photographs taken en route and at the conference scene. For the Hawaii-Alaska trip there are schedules and maps; memoranda to the President from the naval officers in charge of arrangements; ships' "plans of the day"; position and weather reports; and press conference reports and lists of newspaper correspondents. Accompanying this material is a draft of the President's Bremerton, Wash., speech of August 12, 1944, bearing numerous additions and changes in his hand. Additions made by the President to the library's naval manuscript collection include a signed drawing by Robert Fulton of a torpedo designed by him in May, 1813; a "rough order book" of H. M. S. *Valiant*, May 15-June 22, 1790; and the signal log of the German cruiser *Frankfurt*, January 29-March 15, 1917. The President has also given the library a photostatic copy of a journal of three houseboat cruises taken by him in Florida waters in 1924, 1925, and 1926 with members of his family and others.

Fred W. Shipman, director of the Franklin D. Roosevelt Library, who returned early last summer after completing a mission to Italy and Sicily as archival adviser to the Subcommission on Monuments, Fine Arts, and Archives of the Allied Control Commission, has just returned from a similar mission in France and other areas of Europe. During his absence from the library, Assistant Director Edgar B. Nixon is acting director. Henry H. Eddy, archivist on the library staff since July, 1943, has been appointed senior state archivist in the Department of History and Archives of New York state.

THE LIBRARY OF CONGRESS

The Division of Manuscripts has received and shelved in the manuscripts stack the greater part of its collections which, as a measure of safety, had been in war-time storage outside of Washington. It is expected that this work will soon be completed.

Letters and documents selected from the recently acquired John Cleves Short collection of papers of the Short, Symmes, Harrison, and allied families have been on exhibition in the Library of Congress. The papers of the Short, Symmes, and Harrison families constitute a collection so large (about 13,000 pieces), so varied, and so rich in content as to justify extended description. John Cleves Symmes, in whose business affairs is to be found the origin of an important segment of this collection, was the father of two daughters. The younger married William Henry Harrison. More than fifty of General Harrison's letters, with several written by his wife and by his sons, are found in the collection, as are many business papers of the Harrisons. The elder daughter of Judge Symmes married Peyton Short, of Surrey County, Virginia. A very large part of the collection is made up of papers of Peyton Short and of his sons, John Cleves Short (who seems to have constituted himself the

family archivist), and Charles William Short, physician and scientist. The correspondence of these men and their kinsmen, with their friends and business associates, supplemented by voluminous records in the form of accounts, ledgers, contracts, and other legal papers, forms a rich storehouse of material for the history of the crossing into the Mississippi Valley of the commonwealth builders and men of enterprise who followed the first pioneers across the Alleghenies. The papers of Peyton Short's brother, William Short, already owned by the Library of Congress are greatly amplified by those in the new collection, particularly with regard to Short's later life as a man of wealth in Philadelphia. One of the most interesting single items in the collection is a copy, in William Short's hand, of a catalogue of Thomas Jefferson's books.

Among the recent accessions of the Manuscripts Division mention should be made of the following: twenty-five papers of James McHenry, including his diary at the Constitutional Convention; seventy-two papers of Zachary Taylor, 1818-1840; an order and letter book of the U. S. Army Medical Department, Sixth Corps, Army of the Potomac, 1862-1865; two boxes of papers of Charles Henry Webb, 1870-1900; three letter books containing diplomatic correspondence of Frederick T. Freylinghausen, 1882-1883; five boxes of papers of or relating to Susan B. Anthony, 1883-1934; and four boxes of papers of the American Press Association, 1890-1898.

OFFICE OF PRICE ADMINISTRATION

A memorandum issued by the Office of Price Administration, dated August 28, 1944, on disposal of "Record Board" file material to cultural institutions, reads in part as follows:

The overcrowded files of most of the War Price and Rationing Boards have been relieved by official permission to dispose of certain large masses of material no longer needed for current operations. On the other hand, the boards designated as Record Boards have been instructed to hold these masses of material in the expectation that they may be turned over to a State or dependency of the United States or to any appropriate educational institution, library museum, or historical, research, or patriotic organization that has made application for them through the archivist of the United States.

A general authorization granted by Congress permits disposal of the following within three months of their filing or on termination of the agency: (a) all record copies of all applications, supplemental applications, registration of applicants, appeal documents and related documents, all involving or implementing rationing of tires, automobiles, sugar, typewriters, gasoline, rubber footwear, bicycles, fuel oil, coffee, stoves, shoes, processed foods, meats, fish, fats and oils, and firewood; (b) all duplicate record copies of all activity reports, submitted periodically, relating to or implementing the rationing of the above listed commodities.

OFFICE OF RECORDS ADMINISTRATION, NAVY DEPARTMENT

With schedules for the orderly and periodic retirement of their records prepared for most of the Washington bureaus and offices of the Navy Department, the Office of Records Administration is concentrating its attention on the scheduling of records of other shore activities. Many of these activities have already been decommissioned and many others will follow before V-Day, when wholesale decommissioning can be expected. Schedules approved by Congress offer a means whereby records of decommissioned activities may be retired promptly, often by the activities themselves, thus preventing the accumulation of unmanageable backlogs of orphaned records. The Office of Records Administration will develop these schedules in three stages: (1) for types of activities, such as air stations and training schools, of which there are ten or more individual activities; (2) for large activities (personnel over five hundred), ranging from one to nine in number, not scheduled in stage 1; and (3) for all remaining activities. Stage 1 scheduling, consisting of thirty-seven schedules covering approximately 2,700 activities, will be completed by January 1, 1945. Stage 2 and 3 scheduling will begin immediately thereafter and are planned for completion by June 30, 1945.

The Navy now maintains three depositories for the processing and storage of records: Naval Records Depository No. 1, established in Washington in February, 1942; Naval Records Management Center, Eastern Division, established in Philadelphia in January, 1944; and Naval Records Management Center, Western Division, established in Los Angeles in July, 1944. From their establishment through September 30, 1944, these depositories had received 153,000 cubic feet of records. Of these, 62,000 cubic feet or 40 per cent had been disposed of, 50,000 cubic feet by scrapping, 8,000 cubic feet by transfer to one or another activity within the Navy, and 4,000 cubic feet by transfer to the National Archives. Another 24 per cent, or 37,500 cubic feet, of the records in the depositories consist of personnel jackets, medical records, and the like which must be preserved for many years, if not permanently. If these long-lived records are left out of account, the depositories have disposed of 54 per cent of all records received, leaving only 53,500 cubic feet on hand at the present time to be examined and disposed of when their value has ended.

No immediate let-up is in sight in the transfer of records to the depositories. The program for eliminating backlogs of noncurrent records in the shore establishment was continued in November with a "blitz" campaign in the New York district which in two weeks scrapped five hundred cubic feet of records and sent 14,500 cubic feet to the Philadelphia Center for processing. Similar campaigns are planned for January and February in districts having headquarters in Boston, Chicago, Charleston, Miami, New Orleans, San

Juan, Puerto Rico, and the Canal Zone. Meanwhile, to provide more space for processing records of the department in Washington, an additional building containing 22,000 square feet of space has been acquired for Naval Records Depository No. 1, bringing the space available in that depository to 38,000 square feet.

With the organization phase of their work largely over, general shifts have been made in the personnel of the depositories. Lt. (jg) Lewis J. Darter, assistant officer in charge at the Philadelphia center, has been assigned as officer in charge at the Los Angeles center. Lt. Paul L. Bishop, acting officer in charge at Los Angeles, has been assigned as officer in charge of the depository in Washington, succeeding Chief Specialist Herbert H. Randall, who has been assigned to Philadelphia to assist Lt. (jg) Everett O. Alldredge, officer in charge there. The staffs of the centers have been strengthened by the allocation of two additional enlisted men's billets to each to handle medical records. Forest R. Shonkwiler, pharmacist's mate, third class, formerly on the staff of the National Archives, has been assigned to one of the Los Angeles billets, and William E. Sawyer, pharmacist's mate, third class, formerly a member of the history faculty of Clarkson College of Technology at Potsdam, New York, has been assigned to one of those at Philadelphia.

Most of the enlisted men stationed at the depositories will be specialists primarily in archival work. This has been recognized by the Bureau of Naval Personnel, which has established four new petty officer ratings known as "Specialist X (Archivist)." Enlisted men may be promoted from one to another of these ratings when they have served in the depositories for prescribed periods of time and have demonstrated knowledge of such subjects as Navy organization and regulations; Navy correspondence, reports, forms, publications, and filing systems; the moving, shipping, preservation, and housing of naval records; the preparation of records transfer request, disposal lists and schedules, and descriptive lists; and current records management, microphotography, and other fields in which the Office of Records Administration operates.

Microfilm is being used so extensively by the United States Fleet and by shore activities in the Pacific Ocean Area that the Office of Records Administration has been obliged to set up a microfilm unit under the commander of the service forces of the Pacific Fleet at Pearl Harbor. This unit, staffed initially with two officers and eleven enlisted men, will install and service microfilm equipment and explain Navy microfilm programs. These programs employ microfilm chiefly to provide copies of engineering drawings needed for the repair of ships, planes, and ordnance; to copy documents as a means of speeding various administrative processes on ship and ashore; and to copy documents, which can then be scrapped to save critically needed space. Lt.

Joseph P. Brennan, officer in charge of microphotographic service in the Office of Records Administration, is serving temporarily as officer in charge of the Pearl Harbor Microfilm Unit.

AMERICAN HISTORICAL ASSOCIATION

The association's committee on the publication of the annual report has voted to publish as Volumes 2 and 3 of the report for 1944 a calendar of the American Fur Company papers, 1831-1849, compiled some years ago under the direction of Grace Lee Nute of the Minnesota Historical Society. The calendar will be preceded by a preface by Miss Nute and a reprint of her article on the papers of the American Fur Company from the April, 1927, issue of the *American Historical Review*.

Archival materials and historical manuscripts were the focus of several meetings at the convention of the American Historical Association in Chicago on December 28 and 29. At a luncheon conference of the Latin-American Group, Professor William S. Robertson of the University of Illinois read a paper entitled, "The Memorabilia of Agustín de Iturbide," in which was discussed the fate of certain later papers of the Mexican emperor, particularly the manuscript of his self-justification which is represented by variant printed versions. The Lexington Group, interested in railroad history, had an informal meeting attended by approximately fifty persons who discussed the several steps being taken to preserve railroad archives and the problems incidental to the use of such materials.

TRAINING PROGRAMS IN RECORDS AND ARCHIVES ADMINISTRATION

The program for the training of archivists inaugurated four years ago by the American University, Washington, D.C., with the co-operation of the National Archives, is being continued in the present academic year. In announcing the courses offered the university authorities noted that:

Thoughtful administrators in the United States are beginning to realize that problems connected with the making and keeping of government records can no longer be adequately solved by untrained personnel. Methods that were developed in less critical times have not met the needs of today when government is playing a much more important role than ever before in the life of the nation.

It has been customary in the past to look upon the keeping of current records in the agencies in which they originate as one of the minor clerical problems to be solved by a competent file clerk with the application of common sense. On the other hand, the handling of noncurrent records by the professional archivist has been largely governed by scholarly viewpoints and interests. As a matter of fact, the management of government records, from the time of their creation up to and including the time they are accessible in the archival agency is essentially one problem, the different phases of which should be the subject matter of one program of study.

For persons desiring to specialize in the administration of current records, the university now offers a series of courses, which upon the fulfillment of the general academic requirements, will lead to the degree of Associate in Administration with a major in records administration. This series includes a two-year sequence of four courses in the field of records administration and a parallel sequence of courses in public administration designed to give an understanding of general problems of public administration indispensable as a background for the student of records administration. The university offers the following courses in records administration with lectures by Helen L. Chatfield, archivist of the Treasury Department and treasurer of the Society of the American Archivists, and Ernst Posner, adjunct professor of archives administration at American University:

MANAGEMENT OF SPECIAL TYPES OF GOVERNMENT RECORDS: In this course accounting, statistical, and other special types of governmental records as well as special forms of records, such as maps and films, are considered from the point of view of the problems they cause in record keeping.

MANAGEMENT OF GOVERNMENT RECORDS: This course is designed to aid the student to gain a basic knowledge of work with records and files. Topics treated include the history, organization, and functions of records offices and archival agencies; the origin and nature of documentary material; and reference service.

ARRANGEMENT, CLASSIFICATION, AND INDEXING OF GOVERNMENT RECORDS: This course deals with the systems of arrangement, classification, and coding of records on the basis of names or subject matter; the organization of reference units; the preparation of indexes and other finding aids; and the interrelationship of the records of an agency. Some practice in devising classification and indexing systems is afforded.

ORGANIZATION AND PROCEDURE FOR THE HANDLING OF GOVERNMENT RECORDS: This course explores the organization of mail and records units, their processes and their co-ordination with each other and the rest of the agency through lines of procedure.

For students interested in archives administration the university offers a graduate course in the history and administration of archives under the leadership of Mr. Posner and members of the National Archives staff. During the first semester the history and present state of archives administration in the most important European countries, in the British dominions, in Latin America, and in the United States are covered. Each of the lectures devoted to a single country deals with the history of archival activities and archival agencies since the French Revolution; with the way in which archival agencies are organized and function; with the recruitment and training of their personnel; with their physical plants and equipment; with the appraisal and transfer of records; and with the practices of arrangement and description. The main phases of archival development in the United States, including the present state of archival administration in federal, state, and local governments, and

the administration of institutional and business archives and of manuscript collections furnish further topics of discussion. During the second semester a study is made of the history of the literature of archives administration; the principles and nomenclature of archives administration; the official status and functions of a public archival agency; the buildings and equipment suited for archival agencies; the appraising, assembling, elimination, rehabilitation, arrangement, description, service, and use of archives and historical manuscripts; the reproduction, editing, and publishing of manuscript material; the protection of local and semi-public archives; and the war and post-war problems of archival agencies.

The Graduate School of the U. S. Department of Agriculture is offering this year a course in records management procedure. It is conducted by Linwood E. Donaldson, Office of Plant and Operations, Department of Agriculture, William Muller, archivist of the Army Air Forces, and Charles T. Smith, records and procedure analyst in Mr. Donaldson's office. This course furnishes instruction in the organization of messenger service; the handling, recording, and control of mail and telegrams; the briefing, indexing, classification, and filing of records; the searching for records and the operation of charge-out systems; office equipment and housekeeping methods; and the appraisal, retirement, scheduling, and reduction of records.

The Navy Department has recently conducted a six-weeks training course in microphotography for the instruction of its enlisted personnel at records management centers of the department. Because the first ten days of this course constituted an independent unit designed to give a general introduction to the field an opportunity was given to some non-Navy personnel in Washington agencies to hear the lectures in this unit.

The University of Illinois Division of University Extension, in co-operation with the Illinois Civil Service Commission, is offering a short course in January, 1945, on state record making for file clerks, stenographers, office managers, and others who create and keep records. The instructor is Margaret C. Norton, archivist of Illinois and president of the Society of American Archivists. Lectures deal with the purposes of records; what happens when records are not properly kept; the qualities of a good record system; the materials from which records are made; the reduction and disposal of records; and the application of photographic processes to record keeping.

Between June 11 and June 30, 1945, a short course on the preservation and administration of archives will be offered by American University with the co-operation of the National Archives and the Maryland Hall of Records. The course will be designed to meet the needs of institutional as well as state

archivists. The instructors will be Mr. Posner of American University, Morris L. Radoff, archivist of Maryland, and certain members of the National Archives staff. In addition to the usual lectures and reading, the course will provide for actual "laboratory" experience in the National Archives and in the Maryland Hall of Records. Information on this "summer session" in archives work can be obtained from the American University or from the National Archives.

INTERAGENCY RECORDS ADMINISTRATION CONFERENCE

This informal organization sponsored by the Federal Work Improvement Program of the United States Civil Service Commission opened its 1944-1945 series of meetings on September 22. Topics to be discussed by the conference this season include (1) segregation of records at the time of filing; (2) control of technical records; (3) control of field records; and (4) mechanization in records work. The principal speaker at the first meeting was Stuart Portner of the National Archives, who gave a talk on the demobilization of war records. At the second meeting, held on October 27, Lt. Charles Nieman described the Navy Department's program for reducing records through correspondence control, and Solon J. Buck, archivist of the United States, spoke on the archival situation in Latin America. At its third meeting held November 24, the conference heard a discussion by James W. Cummings of the National Archives on the control of special types of records, and an illustrated talk on work improvement programs by Charles E. Bish, director of civilian training, Adjutant General's Office. From time to time papers, reports, and other documents presented to the conference which appear to be significant contributions to the records administration field are processed for limited distribution. Recent issuances of this sort include *Microfilm—Its Possibilities and Limitations*, *The Organization and Management of Records in Federal Agencies*, and *Control and Utilization of War Records*.

CATHOLIC CHURCH ARCHIVES

The editor is indebted to Rev. John Tracy Ellis, managing editor of the *Catholic Historical Review*, for the following notes on archival activities in Catholic institutions:

The rich collection contained in the archives of the archdiocese of St. Louis, found at 3810 Lindell Boulevard, St. Louis, is now in process of being indexed by the Rev. Jasper J. Chiodini. This collection is especially extensive for the history of the Catholic church in the Mississippi Valley.

The systematic cataloguing of the extensive collection in the archives of the University of Notre Dame is going forward under the direction of the Rev. Thomas T. McAvoy, C.S.C., archivist. The work is presently being con-

centrated on the papers of the archdiocese of New Orleans which are important especially for the French and Spanish regimes in Louisiana.

The archives of the diocese of Cleveland will soon be indexed in preparation for the writing of a history in connection with the celebration of the centennial of the diocese in 1947.

A Rockefeller grant has been given to the Rev. Honorius Provost, assistant archivist of Laval University, Quebec, for work in archives administration in the United States. He will spend about six months in the United States, studying and observing archival methods at the National Archives and other institutions.

An excellent catalogue of the materials housed in the Santa Barbara Mission Archives at Santa Barbara, California, has been made by the archivist, the Rev. Maynard Geiger, O.F.M. It will be published as *Bibliographical Study* No. 1 of the American Academy of Franciscan History.

Georgetown University has received as a gift from Miss Mary A. Benjamin, director of the famous Benjamin firm, dealers in autographs and manuscripts, a rare collection of autographed letters and manuscripts of Catholic churchmen. The collection has been named in honor of Father Talbot, a longtime friend of the Benjamin family.

FOREIGN NEWS

Argentina

Announcement was made in an earlier issue of THE AMERICAN ARCHIVIST of the establishment in Buenos Aires of the Archivo Gráfico de la Nación. This agency was organized by the government for the purpose of preserving the photographic record of events relating to the life and history of the country and its institutions. The archivo has now issued an interesting twenty-seven page pamphlet by Sergio Chiáppori describing its organization and objectives.

Brazil

A new building including the latest scientific equipment for the preservation of archives is being planned for the Arquivo Nacional in Brazil. For nearly forty years the arquivo has been housed in the National Museum building located on the Plaza of the Republic. The new building, it is reported, will be located in this same plaza, but will cover a much larger area.

Canada

On June 1, 1944, an afternoon's session of the Canadian Historical Association's annual meeting was devoted to "The Problem of Public and Historical Records in Canada," and the discussion is reported on pp. 40-45 of the printed *Report*. Professor George W. Brown, who had stimulated interest

with an article bearing the same title in a late issue of the *Canadian Historical Review*, opened the colloquium and was followed by Major Gustave Lanctot, dominion archivist, and representatives who spoke for the provinces. In conclusion the Archives Committee, which presented the report, stated:

It was the view of this meeting that, while there were some signs of improvement, the situation in general was a deplorable one, and that the Association should take whatever steps it could to draw this to the attention of public authorities and others who might assist in bringing about an improvement.

As part of a proposed post-war program, Major Lanctot suggested a survey of all public and private archives in Canada as a feature of the government's rehabilitation program, one step toward which was already being taken in a government-sponsored inventory of the archives of the Séminaire de Québec.

D. E. Cameron, librarian of the University of Alberta, reports that just prior to the outbreak of the war the provincial government of Alberta was considering the organization of a provincial archives. Although the building became impossible, the project is still kept in mind and there is now a standing committee under the chairmanship of President Robert Newton of the University of Alberta, which will report to the government and make recommendations. The interest in archives was increased a few months ago when Professor Morton, archivist of the province of Saskatchewan, addressed a meeting of Alberta department heads on the subject. The current activity of Robert E. Gard, fellow of the Rockefeller Foundation, on behalf of the collection of materials for local history at the University of Alberta has also aided the cause of archives.

China

Although published in 1935, several articles recently noted in issues of the first volume of *Chinese Administrator* are indicative of the interest in archives and records administration that may be expected in post-war China. The most interesting of these was written by Kan-Nai-Kuang on "Unification of Current Documents and Archives: An Experiment" and is to be found on pp. 390-395 of the issue for July-September, 1935. Another old but interesting article, describing the archives section of the Palace Museum in Peking, was noted recently in the second volume of *Monumenta Serica: Journal of Oriental Studies of the Catholic University of Peking*, pp. 167-190.

Cuba

The newly constructed building for the Archivo Nacional of Cuba in Havana was dedicated on September 23, 1944. The exercises were attended by representatives of the principal archival establishments of the Caribbean countries including the archivist of the United States and the chief of the Division of State Department Archives of the National Archives, and the

principal address was delivered by the president of the Republic of Cuba, Fulgencio Batista. The archives section of the Corporación de Bibliotecarios, Archiveros y Conservadores de Museos del Caribe held a number of sessions in Havana during the week following the dedication, and in connection with the first of these sessions the archivist of the United States presented to the Archivo Nacional of Cuba reproductions of a number of documents of Cuban interest in the National Archives of the United States and proposed the development of a comprehensive program for the exchange of reproductions of archival material among the nations of the Western Hemisphere. The Archivo Nacional of Cuba has issued a pamphlet containing the administrative regulations of the agency under the title *Reglamento general e Interior del Archivo Nacional de la Republica de Cuba*.

Great Britain

Notice has been received to the effect that, war-time conditions permitting, the British Records Association would hold its twelfth annual meeting in London on November 14, 1944. The twelfth annual report, which was distributed to members prior to this meeting, reveals to some extent the war-time activities of British archivists. In addition to preventing the destruction of valuable record materials during salvage drives, the association has nearly completed the microphotography of early probate registers, although "flying bombs and other difficulties have at times delayed progress." In order to facilitate its work, the association has combined its committees on (1) post-war dangers to records; (2) sanctity of the archives group; (3) inspection of local repositories; (4) preservation of war records; and (5) repair service for English archives into one new committee designated as the committee on reconstruction. Among the projects being considered by this committee are the possibility of establishing a repair center for archives, with facilities for training, and the formation of a publications section for the association.

Miss Ethel Stokes, honorary secretary of the Records Preservation Section and member of the council of the British Records Association, died October 20, following an accident during a blackout.

The June, 1944, issue of the *Contemporary Review* carries an article by Hilary Jenkinson, secretary of the Public Record Office, entitled "Reflections of an Archivist." After defining archives and the duties of the archivist Mr. Jenkinson sets forth what amounts to his "profession of faith" when he undertakes to determine whether archives are "sufficiently numerous and . . . the care of them [is] sufficiently important and difficult technically" to warrant the cost and effort necessary to build up a large and influential group of archivists in Great Britain.

Welsh Church authorities have transferred to the National Library of Wales two million documents weighing thirty tons. They are the archives of four

ancient, and two modern dioceses and include bishops' registers dating from 1397. The archivist of the library believes that even the Public Record Office has never "received either such a massive bulk of records or a collection of such vast historical significance" at one time.

Italy

During his recent mission in Italy, Fred W. Shipman, director of the Franklin D. Roosevelt Library, secured for the library of our own National Archives a file of *Notizie degli Archivi di Stato: Bollettino Bimestrale a Cura del Ministero dell'Interno* (Notes Concerning the Archives of State: Bimonthly Bulletin issued by the Ministry of the Interior). Publication of this archival journal was begun in July, 1941, and was continued through at least June, 1943, the date of the last issue that Mr. Shipman was able to obtain. Each issue contains about sixty pages of text somewhat larger in format than THE AMERICAN ARCHIVIST, and includes sections devoted to archival legislation, accessions, inventories and registers, news of activities of archives of public and private bodies, notices of current publications, and miscellaneous articles and notes. Significant material in the nine issues at hand will be summarized in a later issue of THE AMERICAN ARCHIVIST.

Mexico

The Third National Congress of Librarians and first of archivists was held in the Palace of the Belle Arts, Mexico City, October 21-28, 1944. A printed agenda of the congress reveals that the archivists were concerned in their sessions with the discussion of archival legislation, both federal and state, the centralization and co-ordination of archival activity in Mexico, the techniques and procedures for handling noncurrent records, the qualifications, training and compensation of archivists, and the general internal administration of archival establishments. The congress elected as members of its permanent commission Lic. Jiminez Rueda, president; Raimundo Solis Rivera, vice president; and Ignacio Rubio Mané and Luis González, general secretaries.

CALIFORNIA

Clyde A. Duniway, historian, educator, and founding member of the Society of American Archivists and of the American Association for State and Local History, died at Palo Alto on December 24. During his career Dr. Duniway served as president of the Universities of Montana and Wyoming and of Colorado College. He also served as director of the American University Union in London and as chairman of the department of social sciences and professor of history at Carleton College. His research work led him to many archival institutions and created an abiding interest in the preservation of historical materials, particularly local records.

COLORADO

Herbert O. Brayer, archivist of Colorado, and his assistant, Vergil Peterson, have been investigating various types of stack and filing equipment for use in the new archives depository now under construction at the Colorado Historical Society. During the past quarter the archives took a more active interest in the county record situation and, at the request of the board of directors of the society and certain county officials, Mr. Peterson has made a survey of the county archives problem throughout the state. Meanwhile, the accumulation of original materials dealing with the range cattle industry of the Rocky Mountain region has been continued by Mr. Brayer.

Miss Dorothy Taylor, supervisor of records for the Denver and Rio Grande Western Railroad, had on display at the annual meeting of the Society of American Archivists blue prints of a special two-car train that is being constructed by the railroad for use in microfilming records located in the various on-line agencies and divisions. The train consists of an elaborate and comfortably furnished personnel car capable of accommodating a supervisor, three microfilm operators and their assistants, and a cook, and a photography car which will house the microfilm equipment and supplies. It is anticipated that this unique train will be in operation by Spring. The Denver and Rio Grande Western already has microfilmed some nineteen million records in its own laboratories where a strict cost analysis is maintained on all projects.

CONNECTICUT

James Brewster, librarian of the Connecticut State Library, reports that a "valuable papers" policy for over \$2,500,000 has been issued on the state records and archives housed in the state library. Said to be the largest policy of its kind ever written, this insurance covers the state for all loss, destruction, or damage to the records except for "wear and tear, gradual deterioration, and war risk." War risk is separately covered by the state on all of its property. It is well understood that no monetary payment could recompense the state for the loss of certain archives, but the state authorities felt that this new type of insurance was worth while.

Lewis De Witt Ruscoe, town record clerk of Stamford, working under the direction of Selectman George T. Barrett, has achieved considerable prominence in his state because of his work in salvaging many valuable historical and administrative documents from a two-hundred-year-old accumulation of town records in the cellar of the town hall. Mr. Ruscoe has appraised, listed, and classified thousands of important items and then placed them in packets bearing dates and contents of each. To facilitate the handling of the mass records retained he has also made a comprehensive list of particularly important documents with recommendations for their ultimate safekeeping.

In order to prevent the disorderly accumulation of town records in the future he and Mr. Barrett are reported to have sponsored legislation permitting officials to dispose of records proved valueless.

DELAWARE

The State Archives Commission has been assisted during the year by the Materials Laboratory of the State Highway Department in making tests to determine the best and most durable paper for records. The tests were run in accordance with the latest methods advocated by the American Society of Testing Materials and included tests for bursting strength, folding endurance, resin content, ash content, and base weight.

FLORIDA

Materials relating to Florida in the National Archives is the subject of an article published in the October issue of the *Florida Historical Quarterly*.

ILLINOIS

The Illinois State Library has reported that the Archives Division handled 3,833 reference requests during the fiscal year ended June 30, 1944. Consultant service visits involving archival materials totaled sixty-nine.

INDIANA

Margaret Pierson, chief of the Archives Division of the Indiana State Library, reports that the division has just received 175 volumes of General Land Office records covering the early 1800's. These had been stored in the basement of the State House and were discovered last summer.

MARYLAND

The Maryland Historical Society has received the large collection of Perine Papers, 1825-1939, consisting of the voluminous correspondence of David M. Perine (1796-1882), his son, E. Glenn Perine (1829-1922), and other members of the family. The collection includes 157 letters from Roger Brooke Taney, ninety-eight from John Beale Bordley, J. A. McN. Whistler, and Thomas Sully. A letter from Dr. Albert T. Bledsoe describes a visit to Jefferson Davis in prison in 1866; in another Judah P. Benjamin discusses the practice of law in England in 1871. George Washington's sister, Betty Lewis, asks her brother to buy her a "chariot" in Philadelphia, and other Washington relatives write about their domestic concerns. There are many papers dealing with the Mexican Claim Cases, the Union Bank Crisis, and

the estates of Charles Carroll of Carrollton, Robert Oliver, Moses Sheppard, R. B. Taney, and others.

Important additions to the society's extensive group of Ridgely Papers include letters from Charles Ridgely (1830-1872) while a student at Harvard, 1848-1849, from his sister, Eliza R. White, on trips abroad, and from members of the Stewart family describing conditions in Civil War times. There is a letter from Severn Teackle Wallis while a prisoner at Fort Warren in 1862, and a series from General John E. Wool discussing methods of procedure during the Civil War.

The Maryland State Fireman's Association has created a committee on archives charged with the task of cataloguing, describing, and photographing firemen's historical records.

MICHIGAN

Mrs. Elleine H. Stones, chief of the Burton Historical Collection of the Detroit Public Library, reports that the collection has acquired the following manuscripts during the past eighteen months:

A large group of letters written to President Grover Cleveland and his secretary Henry T. Thurber of Detroit, by cabinet members, Congressmen, and the general public, 1892-1897; 25 letters from Mrs. Grover Cleveland, Washington, D.C., to Mrs. Don Dickinson, Detroit, 1888-1890; additional Duffield Family Papers, including those of Dr. Morse Stewart and his wife, Isabella Graham (Duffield) Stewart; a small group of letters and papers, 1766-1814, of Isabella (Marshall) Graham, early New York philanthropist and grandmother of Mrs. George Duffield of Detroit; personal papers and manuscript maps of John Farmer, Detroit map maker and surveyor; records of the Woodward Avenue Improvement Association, Detroit; 2,000 letters of Emily Virginia Mason, sister of Michigan's first governor; some Cass Family Papers, 1795-1804, including letters written by the parents of Lewis Cass following their emigration from New Hampshire to Marietta, Ohio; letter books and miscellaneous manuscripts from the estate of Richard P. Joy; additions to the James F. Joy and Stevens Thomson Mason Papers; an 1850 Diary of Isaac Burr; a group of papers, 1862-1865 of William H. Brearley, Detroit newspaper man; minute books of Utica, Michigan, First Congregational Church, 1837-1943; three James Witherell letters dated 1808, 1811, and 1814; records of research on the vocabulary of Ojibway Indians, compiled by Laura (Parks) Taylor; two Anthony Wayne letters dated Detroit, 1796; two letters written from Detroit, 1808, 1809, by John Anderson; 59 letters and documents relating to the activities of William Lyon Mackenzie and others in the Patriots War; a letter written by Major Henry Gladwin from Detroit, October 7, 1763, telling of conditions just before the siege of Pontiac; a journal of a tour from Boston to Michigan, 1858, and a typescript copy of the unpublished chronicles of the Bement family by Josiah G. Leach.

MISSISSIPPI

The Charles F. Heartman collection of material relating to the Negro and slavery, consisting of some ten thousand printed titles and more than five thousand manuscripts is now catalogued and available for use to research workers. The collection is housed at The Book Farm, Route 3, Hattiesburg, Mississippi.

MISSOURI

W. Francis English, director of the Western Historical Manuscripts Collection of the University of Missouri, writes that the collection has been enriched by the addition of: the memoirs of T. W. Westlake, a Confederate soldier, who went with General Jo Shelby into Mexico at the end of the Civil War; the correspondence, committee minutes, and manuscript materials of the chairmen of committees and of the various members of the Missouri Constitutional Convention of 1943-1944; letters of William Hirth, Missouri farm leader and organizer of the Missouri Farmers Association; letters and other manuscript materials of Dr. Jacob Warshaw, teacher, writer, and member of the Department of Spanish of the University of Missouri.

Mrs. Dorothy B. Mullett has recently become assistant director of the Western Historical Manuscripts Collection.

Brenda R. Giesecker, acting librarian of the Missouri Historical Society, reports that the Missouri Historical Society has recently acquired the correspondence of Noah M. Ludlow and Mathew C. Field, prominent early theatrical figures in St. Louis, Mobile, and New Orleans. The documents include about five hundred letters, diaries and journals of the two men from 1843 to 1878. Three journals of Field relate to experiences on a trip to the Rocky Mountains in 1843 with Sir William Drummond Stewart. Prompt books, playbills, and 165 pieces of early music used in the theater round out the collection.

MONTANA

Mrs. Lucinda B. Scott, secretary of the Historical Society of Montana, has issued an appeal to students and descendants of Montana pioneers to contribute or loan to the society diaries, letters, photographs, manuscripts, and other records relating to the history of Montana.

Information on the territorial papers of Montana in the National Archives is included in an article by W. Turrentine Jackson in the October issue of the *Pacific Northwest Quarterly*.

NEW HAMPSHIRE

Major Otis Hammond, director of the New Hampshire Historical Society for thirty-one years, retired on September 30, and died the following day.

NEW MEXICO

Plans for a state archives building will be presented to the next meeting of the legislature by the boards of the School of American Research and the Museum of New Mexico. The School of American Research will offer to the state free of charge a site for the building, ten to twenty acres in size, north of Santa Fe. The need for such a building was outlined to the boards by the president and director, Dr. Edgar L. Hewett. The museum already houses irreplaceable Spanish and territorial records, and the scope of its collections and those of the Historical Society of New Mexico would be enlarged when the proposed building is in operation.

NEW YORK

Miss Dorothy Barck, librarian of the New-York Historical Society and founding member of the Society of American Archivists, has been elected president of the American Association for State and Local History.

Among the manuscripts recently acquired by the New-York Historical Society are five previously unpublished letters of Lee, Meade, and Lincoln regarding General Hooker's assignment and the Dahlgren raid; twenty-two letters of War of 1812 commanders; Comstock papers relating to the Chinese trade; records of the Imperial Mexican Consulate at New York, 1865-1867, including four volumes of letters received from the Mexican Ministry of Foreign Affairs; five volumes of embassy, consular, and sundry letters received, and letter press copies of letters from Don Luis de Arroyo, consul general. These records were preserved by Chevalier Charles Frederick de Loosey, Imperial Austrian consul general at New York after the death of Emperor Maximilian.

John R. Russell has announced that the Rhees Library of the University of Rochester recently had deposited with it some 530 manuscripts of George Washington Patterson, nineteenth-century New Yorker and Congressman, 1877-1879. The papers supplement the Thurlow Weed papers, also on deposit at Rhees Library, since they include forty-six letters from Weed himself. The collection contains about the same number of letters from William H. Seward in regard to the Chautauqua Land Office at which Patterson was agent.

The work of the New York Committee on Business Records is described by Thomas C. Cochran, executive secretary of the committee, in the *Bulletin* of the Business Historical Society for November, 1944. The committee was formed about three years ago under the leadership of Shepard Clough of Columbia University. A summary of Mr. Cochran's report is printed in *Publishers' Weekly* for November 25.

The Scriven Foundation has placed at the disposal of the New York State Historical Association at Cooperstown the Fennimore House, a mansion of forty-six rooms. It will serve as a new central quarters for the association, and vast storage space will be available in the basement and third floor as well as in the main rooms of the house. Even the swimming pool will be turned into a reading room and fireproof vault for rare books and manuscripts.

Albert B. Corey, state historian, gives suggestions to local historical societies on the canons for the collection of local records in an editorial in the October issue of *New York History*.

NORTH CAROLINA

The governing board of the State Department of Archives and History met on August 25 and approved budgetary estimates for an increased appropriation for the 1945-1947 biennium and a draft of a revised organic act for the department, which has been prepared for introduction into the next session of the General Assembly.

OREGON

The Oregon Committee on the Conservation of Cultural Resources is interesting itself in the general problem of state archives administration by circularizing a number of state agencies requesting information as to the space required for the storage of their records. It is hoped that a comprehensive archives program for the state may be formulated on the basis of the facts revealed by the survey.

Records of the Oregon Diocese of the Episcopal Church have been transferred for permanent preservation in the Oregon Historical Society. The records include the files of the bishop's office and numerous photographs, official publications, and scrapbooks.

PENNSYLVANIA

Through the State Council of Education several committees for post-war planning with regard to education have been appointed. The Committee on Archives and History headed by Arthur C. Bining, president of the Pennsylvania Historical Association is one. S. K. Stevens, state historian, and Col. Henry W. Shoemaker, state archivist are consultants to the committee. The committee has held two meetings and presented a report to the October Education Congress in Harrisburg. Its principal objective is securing an adequate state archives and history building after the war. In this connection the editor of *Pennsylvania History* wrote in the October issue:

Any consideration of the future well-being of historical activity in Pennsylvania cannot escape the conclusion that the lack of adequate facilities for the proper care

of public records, state and local, and for the preservation in a central depository of historical manuscripts and other source materials has been a stumbling block to progress in Pennsylvania history. Had a suitable building been available, much of the destruction of public records and valuable historical manuscripts and other historical material which has gone on in the past several years could have been prevented. In view of the fact that no guarantee of safe storage could be provided in Harrisburg, it has been impossible for state officials to present a strong case for preserving records. . . .

No state comparable to Pennsylvania in historical importance, in wealth, or in population has been so lax in its approach to this matter in the past. It is time for the situation to be corrected, and the establishment of the Bining committee is the most encouraging step toward real accomplishment. . . . The superintendent of public instruction has recommended to the Postwar Planning Commission recently appointed by Governor Martin that one million dollars be set aside for a proposed building.

Since this was written, Governor Martin has announced that his administration was considering the erection of a new state archives building on the state capitol grounds as a memorial to William Penn, founder of Pennsylvania. It would appear from the wording of the release, however, that the memorial building will be planned to house the state library and the state museum as well as the archives.

RHODE ISLAND

William G. Roelker, director and librarian of the Rhode Island Historical Society, was the principal speaker at the annual meeting of the Historical and Philosophical Society of Ohio on December 4.

TEXAS

Virginia Leddy Gambrell, director of the Dallas Historical Society, has been appointed a member of the Texas State Library and Historical Commission, the governing body of the Texas State Library of which the Texas archives is a branch.

VIRGINIA

Under legislation passed by the 1944 General Assembly the governor has appointed a Virginia World War II History Commission with an appropriation of \$12,500 for the biennium 1944-1946. The twelve-man commission elected Lester J. Cappon, consultant in history and archives at the University of Virginia and secretary of the Society of American Archivists, as director (on a part time basis) and W. Edwin Hemphill as assistant director. Headquarters are at the University of Virginia Library. The project will survey and collect records and data on Virginia's participation in the war and on the impact of the war upon the state in preparation for the writing of a war history.

WEST VIRGINIA

Miss Norma L. Springston has resigned as librarian of the Department of Archives and History to accept a position with the Federal Reserve Bank Library in Chicago. Mrs. Emily J. Wigent is now serving as secretary for the Department.

The biennial report of the Department of Archives and History for the period ending June 30, 1944, is now available for distribution.

WISCONSIN

For more than twenty years the chief need of the Wisconsin State Historical Society has been additional space to house its collections. Last year Keyes D. Metcalf, librarian of Harvard University, and Theodore C. Blegen, dean of the graduate school of the University of Minnesota, made a survey of the libraries of the society and of the University of Wisconsin which are housed together in the State Historical Society building. The report pointed out, among other things, that the Historical Society had been unable to care for the state archives adequately because of lack of storage space, and recommended that certain temporary remodeling be done now and that in a few years the legislature should be asked for funds to build a new building to house the Manuscripts Division and the archives. During the past year officials of the university have considered the Metcalf-Blegen recommendations and rejected them. Instead, the university is asking for some \$1,600,000 to build a separate university library across the street from the Historical Society building and connected with it by a tunnel. If this new building is erected, the society will have plenty of space for some time to come and can "begin taking action to solve the problem of properly caring for the state archives." The society will probably have to ask the legislature for some \$500,000 to enable it to make certain alterations in the old building to make it fit changed conditions.

The September issue of the *Wisconsin Magazine of History* includes a very interesting description of the Richard T. Ely manuscripts accessioned not long ago. The news note is accompanied by a picture of the manuscripts on receipt and a picture of a vault showing how bound volumes are shelved and unbound materials are arranged in boxes at the society. The Ely collection was contained in twenty-six large packing boxes of records, including correspondence, diaries, family histories, scrapbooks, etc. The correspondence alone is said to contain more than 120,000 pieces.

Nearly two hundred volumes of records telling the story of the Holt Lumber Company of Oconto, Wisconsin, have been presented to the society. It is said by some to be the finest single collection of lumber industry source material known. Some of the records are blackened and scarred as they survived the Chicago fire of 1871.